

# FEDERAL REGISTER

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Agencies in this issue—

Agricultural Research Service  
Agricultural Stabilization and  
Conservation Service  
Civil Aeronautics Board  
Coast Guard  
Commerce Department  
Commodity Credit Corporation  
Consumer and Marketing Service  
Customs Bureau  
Federal Aviation Administration  
Federal Communications Commission  
Federal Maritime Commission  
Federal Power Commission  
Foreign Assets Control Office  
Interstate Commerce Commission  
Justice Department  
Land Management Bureau  
Maritime Administration  
National Transportation Safety  
Board  
Post Office Department  
Securities and Exchange Commission  
Tax Court of the United States  
Transportation Department

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Volume 80  
**UNITED STATES  
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89th Congress, 2d Session  
1966

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# Rules and Regulations

## Title 7—AGRICULTURE

### Chapter III—Agricultural Research Service, Department of Agriculture

#### PART 354—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS

##### Overtime Work at Border Ports, Seaports, and Airports

Section 354.1 of Part 354, Title 7, Code of Federal Regulations, is further amended to read as follows:

##### § 354.1 Overtime work at border ports, seaports, and airports.

(a) Any person, firm, or corporation having ownership, custody, or control of plants, plant products, or other commodities or articles subject to inspection, certification, or quarantine under this chapter, who requires the services of an employee of the Plant Quarantine Division on a holiday or at any other time outside the regular tour of duty of such employee, shall sufficiently in advance of the period of overtime or holiday service request the Division inspector in charge to furnish inspection, quarantine, or certification service during such overtime or holiday period, and shall pay the Government therefor at the rate of \$7.52 per man-hour per employee. A minimum charge of 2 hours shall be made for any holiday or unscheduled overtime duty performed by an employee on a day when no work was scheduled for him or which is performed by an employee on his regular work day beginning at least 1 hour before his scheduled tour of duty or which is not in direct continuation of the employee's regular tour of duty. In addition, each period of unscheduled overtime or holiday work to which the 2-hour minimum charge provision applies which requires the employee involved to perform additional travel may include a commuted travel time period the amount of which shall be prescribed in administrative instructions to be issued by the Director of the Plant Quarantine Division for the areas in which the holiday or overtime work is performed and such period shall be established as nearly as may be practicable to cover the time necessarily spent in reporting to and returning from the place at which the employee performs such overtime or holiday duty if such travel is performed solely on account of such overtime or holiday service. With respect to places of duty within the metropolitan area of the employee's headquarters, such commuted travel period shall not exceed 3 hours. When inspection, quarantine or certification services are performed at locations outside the metropolitan area in which the employee's headquarters is located, one-half of the commuted travel period applicable to the point at which the services are performed shall be

charged when duties involve overtime that begins less than 1 hour before the beginning of the regular tour and/or is in continuation of the regular tour of duty. It will be administratively determined from time to time which days constitute holidays.

(b) The Division inspector in charge in honoring a request to furnish inspection, quarantine or certification service, shall assign employees to such holiday or overtime duty with due regard to the work program and availability of employees for duty.

(64 Stat. 561; 7 U.S.C. 2260)

The foregoing amendment shall become effective December 24, 1967, when it shall supersede 7 CFR 354.1, effective July 31, 1966.

The purpose of this amendment is to increase the hourly rate for overtime or holiday services from \$7.20 to \$7.52 commensurate with salary increases provided in the Postal Revenue and Federal Salary Act of 1967 (Public Law 90-206). Determination of the hourly rate for overtime services and of the commuted travel time allowances depends entirely upon facts within the knowledge of the Department of Agriculture. It is to the benefit of the public that this amendment be made effective at the earliest practicable date. Accordingly, pursuant to the administrative provisions of 5 U.S.C. 553, it is found upon good cause that notice and public procedure on this amendment are impracticable, unnecessary, and contrary to the public interest and good cause is found for making this amendment effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 20th day of December 1967.

[SEAL] GEORGE W. IRVING, Jr.,  
Administrator,  
Agricultural Research Service.

[F.R. Doc. 67-14930; Filed, Dec. 22, 1967;  
8:47 a.m.]

### Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

#### SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 814.5, Amdt. 5]

#### PART 814—ALLOTMENT OF SUGAR QUOTAS, MAINLAND CANE SUGAR AREA

##### 1967 Quota

*Basis and purpose.* This amendment is issued under section 205(a) of the sugar Act of 1948, as amended (61 Stat. 922), as amended, hereinafter called the "Act", for the purpose of amending Sugar Regulation 814.5, Amdt. 4 (32 F.R. 10553) which established allotments for

the Mainland Cane Sugar Area for the calendar year 1967.

This amendment is necessary to revise allotments to determine and prorate deficits in allotments. On the basis of written advice that Sunshine Processing Co., Inc., will not process any 1967 crop sugarcane and will have no sugar to market in 1967, the Secretary of Agriculture has determined that Sunshine Processing Co., Inc., is unable to utilize any of its 1967 allotment of the mainland cane sugar area quota amounting to 2,352 short tons, raw value.

Accordingly, a deficit of 2,352 short tons, raw value, is declared and is herein prorated to other allottees on the basis of 1967 allotments made effective by Sugar Regulation 814.5, Amdt. 4 (32 F.R. 10553).

It was found after notice and public hearing that this order shall be revised, without further notice or hearing, for the purpose of allotting any quantity of an allotment to other allottees when written notification of release by an allottee of any part of an allotment becomes a part of the official records of the Department.

The allotments set forth herein have been established in accordance with findings heretofore made by the Secretary in the course of this proceeding (32 F.R. 6188).

*Order.* Pursuant to provisions of section 205(a) of the Act and in accordance with paragraph (3) of § 814.5 of this chapter, paragraph (a) of such § 814.5 is amended to read as follows:

##### § 814.5 Allotment of the 1967 sugar quota for the mainland cane sugar area.

(a) The 1967 sugar quota for the Mainland Cane Sugar Area of 1,169,333 short tons, raw value, is hereby allotted to the following processors in the quantities which appear opposite their respective names:

Processors	Allotments (short tons, raw value)
Albania Sugar Co.	10,057
Alma Plantation, Ltd.	9,954
J. Aron & Co., Inc.	13,557
Billeaud Sugar Factory	9,712
Brenux Bridge Sugar Co-op.	8,988
Wm. T. Burton Industries, Inc.	7,104
Caire & Graugnard	5,367
Cajun Sugar Co-op., Inc.	20,275
Caldwell Sugars Co-op., Inc.	12,897
Columbia Sugar Co.	8,517
Core-Texas Manufacturing Co., Inc.	8,564
Dugas & LeBlanc, Ltd.	14,713
Duhe & Bourgeois Sugar Co.	10,289
Erath Sugar Co., Ltd.	6,413
Evan Hall Sugar Co-op., Inc.	22,494
Frisco Cane Co., Inc.	2,886
Glenwood Co-op., Inc.	15,909
Helvetia Sugar Co-op., Inc.	12,506
Iberia Sugar Co-op., Inc.	18,920
Lafourche Sugar Co.	18,253
Harry L. Laws & Co., Inc.	15,045
Levert-St. John, Inc.	12,903

	Allocments (Short tons, raw value)
Little Texas, Inc.	5,243
Louisa Sugar Co-op., Inc.	11,621
Louisiana State Penitentiary	3,805
Louisiana State University	100
Meeker Sugar Co-op., Inc.	10,746
Milliken & Farwell, Inc.	10,114
M. A. Patout & Son, Ltd.	16,254
Poplar Grove Planting & Refining Co.	8,839
Savole Industries	14,678
St. James Sugar Co-op., Inc.	20,301
St. Mary Sugar Co-op., Inc.	14,517
South Coast Corp.	62,276
Southdown, Inc.	37,345
Sterling Sugars, Inc.	26,632
Sunshine Processing Co., Inc.	0
J. Supple's Sons Planting Co., Inc.	5,425
Valentine Sugars, Inc.	10,160
Vida Sugars, Inc.	5,747
A. Wilbert's Sons Lumber & Single Co.	10,288
Young's Industries, Inc.	6,942
<b>Louisiana subtotal</b>	<b>546,356</b>
Atlantic Sugar Association	34,415
Florida Sugar Corp.	18,496
Glades County Sugar Growers Co-op., Association	46,148
Osceola Farms Co.	52,296
South Puerto Rico Sugar Co., Inc.	77,613
Sugarcane Growers Co-op. of Florida	114,668
Talisman Sugar Corp.	51,211
United States Sugar Corp.	228,130
<b>Florida subtotal</b>	<b>622,977</b>
<b>Total all mainland cane</b>	<b>1,169,333</b>

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153; secs. 205, 209; 61 Stat. 926, as amended, 928, as amended; 7 U.S.C. 1115, 1119)

**Effective date.** Because of the limited time remaining in the quota year to which the allotments apply, it is imperative that this amendment become effective at the earliest possible date in order to permit processors to fully utilize the entire quota for the area. Accordingly, it is hereby found that compliance with the 30-day effective date requirement of 5 U.S.C. 553 (80 Stat. 378) is impracticable and contrary to the public interest and consequently, this amendment shall be effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., this 20th day of December 1967.

E. A. JÄENKE,  
Acting Administrator, Agricultural  
Stabilization and Conservation  
Service.

[F.R. Doc. 67-14923; Filed, Dec. 22, 1967;  
8:46 a.m.]

#### Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Navel Orange Reg. 139, Amdt. 1]

#### PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

##### Limitation of Handling

**Findings.** (1) Pursuant to the marketing agreement, as amended, and Or-

der No. 907, as amended (7 CFR Part 907), regulating the handling of Navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of Navel oranges grown in Arizona and designated part of California.

**Order, as amended.** The provisions in paragraph (b) (1) (iii) of § 907.439 (Navel Orange Regulation 139, 32 F.R. 17888) are hereby amended to read as follows:

#### § 907.439 Navel Orange Regulation 139.

- (b) **Order.** (1) \* \* \*
- (iii) District 3: 125,000 cartons.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: December 20, 1967.

PAUL A. NICHOLSON,  
Deputy Director, Fruit and  
Vegetable Division, Consumer  
and Marketing Service.

[F.R. Doc. 67-14916; Filed, Dec. 22, 1967;  
8:46 a.m.]

[Lemon Reg. 300]

#### PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

##### Limitation of Handling

#### § 910.600 Lemon Regulation 300.

(a) **Findings.** (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will

tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on December 19, 1967.

(b) **Order.** (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period December 24, 1967, through December 30, 1967, are hereby fixed as follows:

- (i) District 1: 13,950 cartons;  
(ii) District 2: 51,150 cartons;  
(iii) District 3: 130,200 cartons.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: December 21, 1967.

PAUL A. NICHOLSON,  
Deputy Director, Fruit and Veg-  
etable Division, Consumer and  
Marketing Service.

[F.R. Doc. 67-14987; Filed, Dec. 22, 1967;  
8:48 a.m.]

**Chapter XIV—Commodity Credit Corporation, Department of Agriculture**

**SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS**

**PART 1422—PEANUTS**

**Subpart—Standards for Approval of Cold Storage Warehouses for Peanuts**

Sec.	
1422.1	General statement and administration.
1422.2	Standards for warehousemen and warehouses.
1422.3	Financial statement.
1422.4	Bonding requirements.
1422.5	Inspection of warehouses.
1422.6	Exceptions.
1422.7	Basis for approval or disapproval.
1422.8	Other conditions for disapproval.
1422.9	Approval of warehouse and duration of approval.
1422.10	Waiver of requirements.

**AUTHORITY:** The provisions of this subpart issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b.

**§ 1422.1 General statement and administration.**

(a) This subpart prescribes the procedure to be followed by warehousemen who desire the Commodity Credit Corporation (hereinafter referred to as "CCC") to approve their cold storage warehouses for the storage and handling, under contract with CCC, of shelled peanuts which are owned by CCC or held by CCC as security for price support loans and which require refrigerated storage. It also prescribes the requirements of CCC for approval of such warehouses. Warehousemen desiring to secure approval of their warehouses under this subpart may obtain information and the necessary application and other forms from (1) the Producer Associations Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250, or (2) the following associations, each of which, under contract with CCC, performs certain functions in connection with CCC's inventory of peanuts: GFA Peanut Association, Camilla, Ga. (Southeastern Area); Southwestern Peanut Growers Association, Gorman, Tex. (Southwestern Area); and Peanut Growers Cooperative Marketing Association, Franklin, Va. (Virginia-Carolina Area). Warehousemen shall submit all forms, statements, and other information required by this subpart to be furnished to CCC to the association in the area where the warehouse is located.

(b) Although a warehouse must be approved by CCC before it will be used for the storage and handling of peanuts, such approval, or the execution of a storage contract with the warehouseman, does not constitute a commitment that the warehouse will be used by CCC and no official or employee of CCC or any association named in this section is authorized to make any such commitment.

**§ 1422.2 Standards for warehousemen and warehouses.**

Initial approval of a warehouse by CCC, and its continued approval of an

approved warehouse, are conditioned upon conformance with the following standards.

(a) The warehouseman shall, except as provided in § 1422.6:

(1) Be an individual, partnership, or an existing legal entity engaging in the business of storing for hire and, if organized in the corporate form, have charter authority to engage in such business.

(2) Have sufficient experience in, and knowledge of, the warehousing business to enable him to give adequate protection and services with respect to the peanuts to be stored.

(3) Have satisfactorily complied with all previous contracts with CCC and instructions issued thereunder: *Provided, however,* That this provision shall apply only in circumstances expected from CCC regulations governing suspension and debarment (31 F.R. 4950), and any amendments thereto, unless suspension or debarment action has been taken as provided in such regulations.

(4) Have a net worth of at least \$10,000 to assure his financial responsibility.

(5) Have sufficient funds available to meet ordinary operating expenses which, if not paid, would cause cessation of operations.

(6) Furnish CCC a completed Application for Approval of a Warehouse (Form CCC-1029).

(7) Furnish CCC a completed Schedule of Rates (Form CCC-1030-2) on which he certifies that the rates quoted in the schedule are not in excess of rates charged other customers.

(8) Furnish CCC financial statements as may be required under § 1422.3.

(9) Furnish CCC surety bonds as may be required under § 1422.4.

(10) Maintain complete and accurate inventory and operating records.

(11) If State or local law requires that warehousemen be licensed to engage in the business of storing goods for hire, furnish CCC evidence that he is so licensed by the appropriate licensing authority.

(b) Supervisory employees of the warehouse shall meet the requirements of (1) paragraph (a) (2) of this section, and (2) paragraph (a) (3) of this section.

(c) Owners, directors, responsible officers, and employees of the warehouse shall meet requirements of paragraph (a) (3) of this section.

(d) The warehouse shall meet the following requirements:

(1) Be of sound construction with equipment in good repair, and so constructed as to adequately protect the peanuts.

(2) Be under the control at all times of the warehouseman who executes the storage contract. Peanuts are not to be stored in an area operated as a "field warehouse" unless the warehouseman is the "field warehouseman."

(3) Not be subject to greater than normal risk of fire, flood, or other hazards.

(4) Have equipment to adequately handle, preserve, and protect the peanuts, including dual refrigeration units and adequate fire fighting equipment.

(5) Have space for the storage separate from peanuts of any products which CCC determines adversely affect the storage life, quality, or flavor of peanuts or are subject to a significantly greater fire risk than peanuts.

(6) Have adequate load-out capacity, as determined by CCC.

**§ 1422.3 Financial statement.**

(a) Except as provided in § 1422.6, the warehouseman shall furnish either (1) a fully completed financial statement on Form TW-51, Financial Statement, or (2) a Form TW-51 (i) completed as to page 1 and the General Information and Certification section of page 4, and (ii) accompanied by a financial statement prepared and certified or otherwise authenticated by the public accountant to the extent consistent with the accountant's verification of the facts contained in the statement. Such certification or authentication may be separate from the financial statement. The warehouseman shall execute the Certification on Form TW-51 in every case.

(b) A financial statement furnished by a warehouseman shall show the financial condition of the warehouseman as of the date not more than 60 days prior to (1) the date of the application, if the statement accompanies the application, or (2) the date of the statement, if the statement is furnished under § 1422.9.

(c) The financial statement and other financial data furnished by a warehouseman will not be disclosed by CCC except as required by law or authorized by CCC regulations relating to official records.

**§ 1422.4 Bonding requirements.**

(a) Except as provided in § 1422.6 and paragraph (b) of this section, the warehouseman shall furnish to CCC a performance bond, executed on a form furnished or approved by CCC by surety companies which have been approved by the U.S. Treasury Department (Circular No. 570) and which maintain an officer or representative authorized to accept service of legal process in the State where the warehouse is located.

(1) The amount of such performance bond shall be not less than 5 percent of the net book value of the estimated quantity of peanuts to be stored, but in no event less than \$5,000 or, except as provided in paragraph (c) of this section, more than \$100,000.

(2) The warehouseman may apply against the total amount of bond coverage required the amount of a surety bond which is furnished under State law or under operational rules of nongovernmental supervisory bodies and which is determined by the Director, Producer Associations Division, to protect adequately the interest of CCC.

(b) Cash, negotiable securities, and legal liability insurance policies may be accepted in lieu of the equivalent amount of required bond coverage under the following conditions:

(1) CCC will determine the acceptability of and valuation to be placed on any cash or negotiable securities offered

in substitution for bond coverage. When the period for which the bond was required has ended and it is determined that all liability under the storage agreement with CCC has terminated, the cash or securities will be returned to the warehouseman.

(2) Legal liability insurance policies offered in substitution for bond coverage must show CCC as the insured and be approved by the Director, Producer Associations Division.

(c) Notwithstanding any other provisions of this subpart, CCC may require additional bond coverage if in the light of all the circumstances relating to the operation of the warehouse, CCC determines that the amount of bond coverage required under paragraph (a) (1) of this section is not sufficient to protect adequately the interests of CCC.

#### § 1422.5 Inspection of warehouses.

Except in the case of a warehouse licensed under the U.S. Warehouse Act for the storage and handling of peanuts, prior to the time CCC approves a warehouse for the storage and handling of peanuts CCC will have the warehouse examined and will take such other action as it considers necessary to determine whether the requirements of § 1422.2 have been met. The warehouse examiner will make recommendations regarding the approval or disapproval of the warehouse.

#### § 1422.6 Exceptions.

Notwithstanding any other provision of this subpart:

(a) Warehousemen licensed under the U.S. Warehouse Act for the storage and handling of peanuts will not be required to furnish performance bonds or financial statements in order to be approved by CCC, and their warehouses will not be subject to regular examinations other than those required by that Act, but will be subject to such special examinations as CCC may determine are necessary. All other requirements of this subpart shall, unless otherwise provided, be met by such warehousemen seeking approval under this subpart.

(b) CCC will accept a Certificate of Competency issued by the Small Business Administration with respect to a warehouseman as establishing conformance by the warehouseman with the standards prescribed in § 1422.2(a) (1), (2), (4), and (5); (b) (1); and (d) (1), (2), (3), and (4).

(c) CCC may approve a warehouseman who meets the standard set forth in paragraph (a) (4) of § 1422.2 but who fails, or whose warehouse fails to meet one or more of the other standards of that section, if (1) CCC determines that the storage and handling conditions within the warehouse provide satisfactory protection for peanuts, (2) CCC determines that the services of the warehouseman are required, and (3) the warehouseman furnishes additional bond coverage (or acceptable substitute security) which is in an amount equal to at least twice the amount of the bond requirement under § 1422.4(a) (1) and

which meets the other requirements of § 1422.4.

#### § 1422.7 Basis for approval or disapproval.

A review and an analysis will be made of the information disclosed by the warehouseman's application, warehouse examiner's report and recommendation, financial statement, credit reports, and other pertinent information available from other sources. If, on the basis of this review and analysis, it is determined that the warehouseman and the warehouse conform with the standards and other requirements set out in this subpart, the warehouse will be approved. If it is determined that the warehouseman fails to meet the standard set forth in §§ 1422.2(a) (4) and 1422.8, the warehouse will not be approved. If it is determined that one or more of the other standards of § 1422.2 are not met, the applicant may be approved as provided in § 1422.6(c).

#### § 1422.8 Other conditions for disapproval.

Applications shall not be approved (or existing approval continued in effect) if:

(a) The warehouseman (if license is required) is in violation of any provisions of the regulations of the licensing authority, or if any condition which has resulted or may result in the refusal, suspension, or revocation of the applicable warehouse license has not been corrected. Correction of any such condition shall not result in automatic approval of the warehouse and CCC may require the submission of a new application, such additional information as it deems pertinent, and a new inspection of the warehouse to determine whether it meets the requirements of this subpart.

(b) The warehouseman operating the warehouse for which approval is being sought, or any of the directors, responsible officers and employees thereof are suspended or debarred from contracting pursuant to regulations of CCC.

#### § 1422.9 Approval of warehouse and duration of approval.

(a) After a warehouse has been approved and the applicable storage contract has been signed by CCC, a copy of such contract will be forwarded to the warehouseman by CCC. The warehouse will then be eligible to store and handle CCC-owned and loan peanuts.

(b) The financial condition of, and the amount of bond or substitute security furnished by, approved warehousemen will be reviewed from time to time to determine that the requirements of CCC are being met and the warehouseman shall furnish any additional bond coverage or substitute security which may be determined by CCC to be required under the provisions of this subpart. The warehouse will be reexamined from time to time to determine its continued compliance with the standards and requirements of this subpart. If at any time it is determined that a warehouseman or the warehouse does not conform with the standards and other requirements set out in this subpart, CCC shall take such ap-

propriate action as may be necessary to protect the interests of CCC.

(c) Approval of the warehouse will remain in effect until the warehouse is removed from the list of approved warehouses, the storage contract is terminated, or the warehouseman is suspended or debarred from contracting with CCC under applicable regulations.

#### § 1422.10 Waiver of requirements.

If warehousing services required in fulfilling responsibilities under CCC's programs cannot be secured under the provisions of this subpart and no reasonable and economical alternative is available, CCC may exempt the applicant from one or more of the provisions of this subpart and may establish other requirements in lieu thereof as determined necessary to safeguard the interests of CCC. Such action may be taken only by the Executive Vice President, Commodity Credit Corporation.

Effective date: Date of publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on December 7, 1967.

H. D. GODFREY,  
Executive Vice President,  
Commodity Credit Corporation.

[F.R. Doc. 67-14948; Filed, Dec. 22, 1967;  
8:48 a.m.]

## Title 9—ANIMALS AND ANIMAL PRODUCTS

### Chapter I—Agricultural Research Service, Department of Agriculture

#### SUBCHAPTER D—EXPORTATION AND IMPORTATION OF ANIMALS AND ANIMAL PRODUCTS

#### PART 97—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS

#### Overtime, Night and Holiday Inspection and Quarantine Activities at Border, Coastal, and Air Ports

Pursuant to the authority conferred by the Act of August 28, 1950 (64 Stat. 561; 7 U.S.C. 2260), § 97.1 of Part 97, Title 9, Code of Federal Regulations, is further amended to read as follows:

#### § 97.1 Overtime work at laboratories, border ports, ocean ports and air ports.<sup>1</sup>

Any person, firm, or corporation having ownership, custody or control of animals, animal byproducts, or other commodities subject to inspection, laboratory testing, certification, or quarantine under this subchapter and Subchapter G of this chapter, and who requires the services of an employee of the Animal Health Division on a holiday or at any other time outside the regular

<sup>1</sup> For designated ports of entry for certain animals, animal semen, poultry, and hatching eggs see 9 CFR 92.1 through 92.3; and for designated ports of entry for certain purebred animals see 9 CFR 151.1 through 151.3.

tour of duty of such employee, shall sufficiently in advance of the period of overtime or holiday service request the division inspector in charge to furnish inspection, laboratory testing, certification or quarantine service during such overtime or holiday period and shall pay the Administrator of the Agricultural Research Service at the rate of \$7.52 per man-hour per employee as follows: A minimum charge of 2 hours shall be made for any holiday or unscheduled overtime duty performed by an employee on a day when no work was scheduled for him or which is performed by an employee on his regular work day beginning either at least 1 hour before his scheduled tour of duty or which is not in direct continuation of the employee's regular tour of duty. In addition, each such period of unscheduled overtime or holiday work to which the 2-hour minimum charge provision applies which requires the employee involved to perform additional travel may include a commuted travel time period the amount of which shall be prescribed in administrative instructions to be issued by the Director of Animal Health Division for the ports, stations, and areas in which the employees are located and shall be established as nearly as may be practicable to cover the time necessarily spent in reporting to and returning from such overtime or holiday duty if such travel is performed solely on account of such overtime or holiday service. With respect to places of duty within the metropolitan area of the employee's headquarters, such commuted travel period shall not exceed 3 hours. When inspection, laboratory testing, quarantine or certification services are performed at locations outside the metropolitan area in which the employee's headquarters are located, one-half of the commuted travel time period applicable to the point at which the services are performed shall be charged when duties involve overtime that either begins less than 1 hour before the beginning of the regular tour and/or is in continuation of the regular tour of duty: *Provided, however,* That periods of unscheduled overtime or holiday service performed by laboratory personnel shall be limited to Saturdays, Sundays, and holidays, and shall further be limited to hours which would normally constitute a regular work day. It shall be administratively determined from time to time which days constitute holidays.

The foregoing amendment shall become effective December 24, 1967, when it shall supersede 9 CFR 97.1, effective July 31, 1966.

The purpose of this amendment is to increase the hourly rate for overtime services from \$7.20 to \$7.52 commensurate with salary increases provided in the Federal Employees Salary Act of 1967 (Public Law 90-206). It is to the benefit of those who require such overtime services, as well as the public generally, that this amendment be made effective at the

earliest practicable date. Accordingly, pursuant to 5 U.S.C. 553, it is found upon good cause that notice and public procedure on this amendment are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making this amendment effective less than 30 days after publication in the FEDERAL REGISTER.

(64 Stat. 561; 7 U.S.C. 2260)

Done at Washington, D.C., this 20th day of December 1967.

GEORGE W. IRVING, Jr.,  
Administrator,  
Agricultural Research Service.

[F.R. Doc. 67-14929; Filed, Dec. 22, 1967;  
8:47 a.m.]

## Title 14—AERONAUTICS AND SPACE

### Chapter I—Federal Aviation Administration, Department of Transportation

[Airspace Docket No. 67-CE-95]

#### PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

##### Alteration of Transition Area

On pages 12120 and 12121 of the FEDERAL REGISTER dated August 23, 1967, the Federal Aviation Administration published a notice of proposed rule making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the transition area at Eau Claire, Wis.

Interested persons were given 45 days to submit written comments, suggestions, or objections regarding the proposed amendment.

No objections have been received and the amendment as so proposed is hereby adopted, subject to the following change: The Eau Claire Municipal Airport coordinates recited in the Eau Claire, Wis., transition area designation as "latitude 44°51'47" N., longitude 91°29'13" W." are changed to read "latitude 44°51'50" N., longitude 91°29'10" W."

This amendment shall be effective 0001 e.s.t., February 29, 1968.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on December 8, 1967.

DANIEL E. BARROW,  
Acting Director, Central Region.

In § 71.181 (32 F.R. 2148), the following transition area is amended to read:

Eau Claire, Wis.

That airspace extending upward from 700 feet above the surface within a 9-mile radius of Eau Claire Municipal Airport (latitude 44°51'50" N., longitude 91°29'10" W.); and within 2 miles each side of the Eau Claire VORTAC 011° radial, extending from the 9-mile radius area to 8 miles north of the

VORTAC; and that airspace extending upward from 1,200 feet above the surface within 8 miles south and 5 miles north of the 274° bearing from Eau Claire Municipal Airport, extending from the airport to 12 miles west of the airport and within the arc of a 14-mile radius circle centered on the Eau Claire VORTAC, extending from the Eau Claire VORTAC 258° radial clockwise to the Eau Claire VORTAC 091° radial.

[F.R. Doc. 67-14934, Filed, Dec. 22, 1967;  
8:47 a.m.]

[Airspace Docket No. 67-CE-112]

#### PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

##### Alteration of Transition Area

On page 13934 of the FEDERAL REGISTER dated October 6, 1967, the Federal Aviation Administration published a notice of proposed rule making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the transition area at Ottumwa, Iowa.

Interested persons were given 45 days to submit written comments, suggestions, or objections regarding the proposed amendment.

No objections have been received and the amendment as so proposed is hereby adopted, subject to the following change: The Ottumwa Industrial Airport coordinates recited in the Ottumwa, Iowa, transition area designation as "latitude 41°06'25" N., longitude 92°26'50" W." are changed to read "latitude 41°06'20" N., longitude 92°26'50" W."

This amendment shall be effective 0001 e.s.t., February 29, 1968.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on December 8, 1967.

DANIEL E. BARROW,  
Acting Director, Central Region.

In § 71.181 (32 F.R. 2148), the following transition area is amended to read:

Ottumwa, Iowa

That airspace extending upward from 700 feet above the surface within a 6-mile radius of Ottumwa Industrial Airport (latitude 41°06'20" N., longitude 92°26'50" W.) and within 2 miles each side of the Ottumwa VORTAC 309° radial extending from the 6-mile radius area to 13 miles northwest of the airport; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at the intersection of a line 5 miles south of and parallel to the Ottumwa 251° radial and the arc of a 25-mile radius circle centered on the Ottumwa VORTAC, thence clockwise along the arc of a 25-mile radius circle centered on the Ottumwa VORTAC, to and south along a line 5 miles east of and parallel to the Ottumwa VORTAC 026° radial, to and clockwise along the arc of a 15-mile radius circle centered on the Ottumwa VORTAC, to and west along a line 5 miles south of and parallel to the Ottumwa VORTAC 251° radial to the point of beginning.

[F.R. Doc. 67-14935; Filed, Dec. 22, 1967;  
8:47 a.m.]

## Chapter II—Civil Aeronautics Board

## SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-524; Amdt. 16]

## PART 241—UNIFORM SYSTEM OF ACCOUNTS AND REPORTS FOR CERTIFICATED AIR CARRIERS

## Miscellaneous Amendments

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 19th day of December 1967.

This amendment consists of editorial changes (1) to conform delegations of authority recited in section 02 with amended §§ 385.17 and 385.18 of the Organization Regulations; (2) to revise sections 04 and 21 to effect deletions of carriers and a change in Western's reporting entities as the result of mergers and the addition of a newly certificated carrier; and (3) to revise sections 2-1(b) and 6—account 1311 to reflect amended provisions of sections 22(d) and 32(d).<sup>2</sup>

This regulation is issued by the undersigned, pursuant to a delegation of authority from the Board to the General Counsel in 14 CFR 385.19, and shall become effective 20 days after publication in the FEDERAL REGISTER. Procedures for review of this amendment by the Board are set forth in Subpart C of Part 385 (14 CFR 385.50-385.54).

Accordingly, the Board hereby amends Part 241 of the Economic Regulations (14 CFR Part 241), effective January 12, 1967, as follows:

1. Revise Section 02 to read as follows:

## Section 02—Administration of Accounting and Reporting Regulations

(a) *Delegated authority to the Director, Bureau of Accounts and Statistics.* Under authority delegated by the Board as set forth in § 385.17 of this chapter, the Director, Bureau of Accounts and Statistics, is authorized to take any or all of the following actions:

(1) Waive any of the accounting, reporting, and record-retention requirements as warranted, to meet temporary or local conditions.

(2) Interpret the Board's accounting, reporting, and record-retention requirements. This authority may not be redelegated.

(3) Establish detailed standard accounting, reporting, and record-retention practices required to achieve conformance with regulations promulgated by the Board.

(4) Grant or deny with the concurrence of the General Counsel, the Direc-

tor, Bureau of Economics and the Director, Bureau of Operating Rights, requests for confidential treatment of preliminary yearend financial reports.

(5) Grant or deny requests by air carriers for substitution of their own forms or adaptation of Board forms to meet special needs where Board approval of such forms is required by the Economic Regulations.

(6) Establish classification of aircraft types for reporting financial data and traffic capacity statistics.

(7) Prescribe, in specific instances, different passenger weight standards to approximate variations in actual experience, for reporting passenger ton-miles and available ton-miles.

(8) Require submission by carrier of special statements necessary to an explanation of any carrier accounting or reporting practice.

(9) Dismiss petitions for Board action with respect to accounting and reporting matters when such dismissal is

requested or consented to by the petitioner.

(b) *Delegated authority to the Chief, Regulations and Reports Division, Bureau of Accounts and Statistics.* Under authority delegated by the Board as set forth in § 385.18 of this chapter, the Chief, Regulations and Reports Division, Bureau of Accounts and Statistics, is authorized to take any or all of the following actions:

(1) Extend, with the concurrence of the Director, Bureau of Enforcement, the time period for the preservation of records relating to errors, oversales, irregularities, and delays in handling of passengers. (Category 303(a) of Schedule of Records in § 249.13(f) of this chapter.)

(2) Grant or deny individual requests for the extension of time for filing reports.

2. Amend Section 04—Air Carrier Groupings and Standard Name Abbreviations, by deleting the following air carriers:

	GROUP II ROUTE AIR CARRIERS	
Central Airlines, Inc.....		Central
	GROUP III ROUTE AIR CARRIERS	
Pacific Northern Airlines, Inc.....		Pacific Northern

3. Amend Section 2—General Accounting Policies, by deleting paragraph (c) and revising paragraph (b) of section 2-1 to read:

Sec. 2-1 Bases of allocation between entities.

(b) In accordance with the provisions of section 22(d) or 32(d), as applicable, each air carrier shall file with the Civil Aeronautics Board a statement detailing practices and techniques used in assigning and prorating profit and loss items between separate entities. The statement shall comply with the provisions of paragraph (a) of this section.

4. Amend Section 6—Objective Classification of Balance Sheet Elements, by revising paragraph (d) of account 1311 to read:

(a) Add the following line after "American Airlines, Inc.":

Aspen Airways, Inc.....	Dom-Special
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(b) Delete the following lines:

Central Airlines, Inc.....	Dom-Local
Mackey Airlines, Inc.....	Int/Ter-Latin Amer
Pacific Northern Airlines, Inc.....	Ter/Dom-Alaska
Pan American-Grace Airways, Inc.....	Int/Ter-Latin Amer

(c) Revise the line for Western Air Lines, Inc. to read:

Western Air Lines, Inc.....	Dom/Can-Trunk
	Int/Ter-Latin Amer
	Ter/Dom-Alaska

(Secs. 204(a), 407(a), Federal Aviation Act of 1958, as amended; 72 Stat. 743, 766; 49 U.S.C. 1324, 1377)

By the Civil Aeronautics Board.

[SEAL]

JOSEPH B. GOLDMAN,  
General Counsel.

[P.R. Doc. 67-14946; Filed, Dec. 22, 1967; 8:47 a.m.]

<sup>1</sup> OR-19, effective June 21, 1967.

<sup>2</sup> ER-483, effective Jan. 1, 1967. Present section 2-1(c) is inconsistent with amended sections 22(d) and 32(d) and is deleted. In addition certain language in section 2-1(b) and section 6, account 1311(d), has become superfluous by amended sections 22(d) and 32(d) and is deleted.

### Chapter III—National Transportation Safety Board

#### PART 430—RULES PERTAINING TO AIRCRAFT ACCIDENTS, INCIDENTS, OVERDUE AIRCRAFT, AND SAFETY INVESTIGATIONS

##### Miscellaneous Amendments

Part 430 is amended to expedite the receipt and processing of accident reports by the Board. This is accomplished by amending § 430.15 to provide that, effective January 1, 1968, all reports required to be filed under this section by operators of aircraft shall be filed with the nearest field office of the NTSB, including the reports presently required by this section to be filed with the nearest FAA Flight Standards District Office which involve fixed-wing aircraft with a maximum takeoff weight of 12,500 pounds or less. In addition, the definition of the term "substantial damage" in § 430.2 is amended to establish a uniform definition pertinent to all aircraft by eliminating the division of aircraft according to the takeoff weight of the aircraft and § 430.5 is modified to delete the requirement that the operator of an aircraft shall notify the Board with respect to fatal or serious injuries sustained during ground operation of the aircraft when the engines are operating but there is no intention of flight. Section 430.15 is also amended to reflect that effective January 1, 1968, the operator of an aircraft shall file his report on NTSB Form 6120.1 or 6120.2 rather than CAB Form 453 or 454.

Since these amendments are procedural in nature and will not impose any additional burden on any person, notice and public procedure hereon are unnecessary, and the amendments may be made effective in less than 30 days after adoption.

Accordingly, the National Transportation Safety Board hereby amends Part 430 of its regulations (14 CFR Part 430), effective January 1, 1968, as follows:

1. Amend § 430.2 to read as follows:

##### § 430.2 Definitions.

As used in this part the following words or phrases are defined as follows:

"Aircraft accident" means an occurrence associated with the operation of an aircraft which takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, in which any person suffers death or serious injury as a result of being in or upon the aircraft or by direct contact with the aircraft or anything attached thereto, or the aircraft receives substantial damage.

"Fatal injury" means any injury which results in death within 7 days.

"Operator" means any person who causes or authorizes the operation of an aircraft, such as the owner, lessee, or bailee of an aircraft.

"Serious injury" means any injury which (1) requires hospitalization for

more than 48 hours, commencing within 7 days from the date the injury was received; (2) Results in a fracture of any bone (except simple fractures of fingers, toes, or nose); (3) Involves lacerations which cause severe hemorrhages, nerve, muscle, or tendon damage; (4) Involves injury to any internal organ; or (5) Involves second or third degree burns, or any burns affecting more than 5 percent of the body surface.

##### "Substantial damage":

(1) Except as provided in subparagraph (2) of this paragraph, substantial damage means damage or structural failure which adversely affects the structural strength, performance, or flight characteristics of the aircraft, and which would normally require major repair or replacement of the affected component.

(2) Engine failure, damage limited to an engine, bent fairings or cowling, dented skin, small punctured holes in the skin of fabric, ground damage to rotor or propeller blades, damage to landing gear, wheels, tires, flaps, engine accessories, brakes, or wing tips are not considered "substantial damage" for the purpose of this part.

2. Amend § 430.5 to read as follows:

##### § 430.5 Immediate notification.

The operator of an aircraft shall immediately, and by the most expeditious means available, notify the nearest National Transportation Safety Board, Bureau of Aviation Safety<sup>1</sup> Field Office when:

(a) An aircraft accident or any of the following listed incidents occur:

(1) Flight control system malfunction or failure;

(2) Inability of any required flight crewmember to perform his normal flight duties as a result of injury or illness;

(3) Turbine engine rotor failures excluding compressor blades and turbine buckets;

(4) In-flight fire;

(5) Aircraft collide in flight.

(b) An aircraft is overdue and is believed to have been involved in an accident.

3. Amend paragraph (a) of § 430.15 to read as follows:

##### § 430.15 Reports and statements to be filed.

(a) *Reports.* The operator of an aircraft shall file a report as provided in paragraph (c) of this section on National Transportation Safety Board Form 6120.1 or 6120.2, which forms are

<sup>1</sup> The National Transportation Safety Board field offices are listed under U.S. Government in the telephone directories in the following cities: Anchorage, Alaska; Chicago, Ill.; Denver, Colo.; Fort Worth, Tex.; Kansas City, Mo.; Los Angeles, Calif.; Miami, Fla.; New York, N.Y.; Oakland, Calif.; Seattle, Wash.; Washington, D.C.

attached hereto and incorporated herein as part of this section.<sup>2</sup>

(1) Within ten (10) days after an accident for which notification is required by § 430.5(a) or when after seven (7) days, an overdue aircraft is still missing.

(2) A report on an incident for which notification is required by § 430.5(a) shall be filed only as requested by an authorized representative of the National Transportation Safety Board.

4. Amend paragraph (c) of § 430.15 to read as follows:

##### § 430.15 Reports and statements to be filed.

(c) *Where to file the reports.* The operator of an aircraft shall file with the Field Office of the National Transportation Safety Board nearest the accident or incident any report required by this section.

(Secs. 5(b), 5(k), and 6(d), 80 Stat. 935, 936, 938; sec. 701, 72 Stat. 781, as amended; 49 U.S.C. 1441, 1654)

By the National Transportation Safety Board.

[SEAL] JOSEPH J. O'CONNELL, JR.,  
Chairman.

DECEMBER 13, 1967.

[F.R. Doc. 67-14924; Filed, Dec. 22, 1967; 8:46 a.m.]

### Chapter XV—Office of the Under Secretary of Commerce for Transportation, Department of Commerce

#### PART 1502—AIRCRAFT ALLOCATION

CROSS REFERENCE: For a document superseding Part 1502 of Chapter XV of Title 14, see F.R. Doc. 67-14911, Title 49, Subtitle A, Part 93, *infra*.

## Title 17—COMMODITY AND SECURITIES EXCHANGES

### Chapter II—Securities and Exchange Commission

#### PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

##### Information Required in Proxy Statement

On December 11, 1952, in Securities Exchange Act Release No. 4775, which appeared at 17 F.R. 11431, the Commission announced the adoption of certain amendments to Regulation X-14 (17 CFR 240.14a-1 et seq.). Included among them, under Schedule 14A (later codified as 17 CFR 240.14a-101) was Item 21. On December 22, 1965, in Release 34-7775,

<sup>2</sup> Forms are obtainable from the National Transportation Safety Board Field Offices (see Footnote 1) or the National Transportation Safety Board, Washington, D.C. Forms filed as part of the original document.

which appeared at 31 F.R. 211, the Commission announced certain additional amendments to Schedule 14A, including amendments to Item 20 and Item 22 thereunder, but did not at that time either amend or revoke Item 21. Nevertheless, Item 21 was inadvertently deleted from this section at a subsequent printing of Title 17 of the Code of Federal Regulations. Since the Commission never revoked Item 21 from Schedule 14A, Item 21 is to be restored in § 240.14a-101 immediately following Item 20. As so restored, Item 21 reads as follows:

§ 240.14a-101 Schedule 14A. Information required in proxy statement.<sup>1</sup>

Item 21. Other proposed action. If action is to be taken with respect to any matter not specifically referred to above, describe briefly the substance of each such matter in substantially the same degree of detail as is required by Items 5 to 20, inclusive, above.

The Commission finds that the foregoing merely corrects an error in codification and does not affect the substance of Regulation 14A as it exists. Therefore, the procedures specified in section 3 of the Administrative Procedure Act as codified in 5 U.S.C. 552 are unnecessary.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

DECEMBER 18, 1967.

[F.R. Doc. 67-14906; Filed, Dec. 22, 1967;  
8:45 a.m.]

## Title 26—INTERNAL REVENUE

### Chapter II—The Tax Court of the United States

#### PART 701—RULES OF PRACTICE

##### Computation of Time; Correction

In F.R. Doc. 67-14584 appearing at page 17890 of the issue for Thursday, December 14, 1967, make the following change:

Paragraph (a) of § 701.61 should read as follows:

§ 701.61 Computation of time; Saturdays, Sundays, and holidays.

(a) *Computation of time; exclusions.* The day of the act, event, or default starting any period of time prescribed or allowed by the rules in this part or by an order of this Court shall not be counted as a part of the period, but Saturdays, Sundays, legal holidays in the District of Columbia, and legal holidays established by other Federal statute shall count just as any other days, except that when the period would expire on a Saturday, Sunday, legal holiday in the District of Columbia, or a legal holiday established by other Federal statute, it shall extend to and include the next succeeding

day that is not a Saturday, Sunday, or such legal holiday.

Dated: December 20, 1967.

By the Court.

WILLIAM M. DRENNEN,  
Chief Judge, Tax Court  
of the United States.

[F.R. Doc. 67-14882; Filed, Dec. 22, 1967;  
8:45 a.m.]

## Title 28—JUDICIAL ADMINISTRATION

### Chapter I—Department of Justice

[Order No. 387-67]

#### PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

##### Settlement of Tort Claims

By virtue of the authority vested in me by sections 509 and 510 of Title 28 and section 301 of Title 5 of the United States Code, Part 0 of Chapter I of Title 28 of the Code of Federal Regulations is amended as follows:

##### § 0.78 [Revoked]

1. Section 0.78 of Subpart O is revoked.  
2. A new § 0.179 is added to Subpart W as follows:

##### § 0.179 Authority; Federal tort claims.

(a) The Director of the Bureau of Prisons, the Commissioner of Federal Prison Industries, Inc., and the Commissioner of Immigration and Naturalization shall have authority to adjust, determine, compromise, and settle a claim involving the Bureau, Federal Prison Industries, Inc., and the Immigration and Naturalization Service, respectively, under section 2672 of Title 28, United States Code, relating to the administrative settlement of Federal tort claims, if the amount of a proposed adjustment, compromise, settlement or award does not exceed \$2,500. When in the opinion of the said Director or one of the said Commissioners such a claim pending before him presents a novel question of law or a question of policy, he shall obtain the advice of the Assistant Attorney General in charge of the Civil Division.

(b) Subject to the provisions of § 0.160, the assistant Attorney General in charge of the Civil Division shall have authority to adjust, determine, compromise, and settle any other claim involving the Department under section 2672 of Title 28, United States Code, relating to the administrative settlement of Federal tort claims.

Dated: November 29, 1967.

RAMSEY CLARK,  
Attorney General.

[F.R. Doc. 67-14902; Filed, Dec. 22, 1967;  
8:45 a.m.]

## Title 33—NAVIGATION AND NAVIGABLE WATERS

### Chapter I—Coast Guard, Department of Transportation

[CGFR 67-92]

#### SUBCHAPTER D—NAVIGATION REQUIREMENTS FOR CERTAIN INLAND WATERS

##### PART 80—PILOT RULES FOR INLAND WATERS

#### SUBCHAPTER F—NAVIGATION REQUIREMENTS FOR WESTERN RIVERS

##### PART 95—PILOT RULES FOR WESTERN RIVERS

#### Navigation Lights and Shapes for Towing Vessels and Dredges

1. Pursuant to the notice of proposed rule making published in the FEDERAL REGISTER of January 24, 1967 (32 F.R. 795-807), and the Merchant Marine Council Public Hearing Agenda dated March 20, 1967 (CG-249), the Merchant Marine Council held a public hearing on March 20, 1967, for the purpose of receiving comments, views, and data. The proposals considered were identified as Items PH 1-67 to PH 13-67, inclusive, Item PH 4-67 (CG-249, pages 81 to 88, inclusive) contained proposals regarding navigation lights and shapes for motorboats, uninspected vessels and inspected vessels. Item PH 4c-67 contained proposals regarding navigation lights and shapes for towing vessels and dredges on inland waters. Item PH 4d-67 contained proposals regarding navigation lights and shapes for towing vessels and dredges on western rivers. These proposals are adopted and set forth in this document. The necessary changes in the marine safety regulations regarding navigation lights and shapes for motorboats, uninspected vessels, and inspected vessels are in a separate document, CGFR 67-91.

2. Interested persons have been afforded an opportunity to participate in the consideration of these proposals. The Merchant Marine Council's actions with respect to comments received and proposals in Item PH 4-67 are approved.

3. The amendments to the rules of the road in this document are applicable to both new and existing vessels. Because definite light standards are established in 46 CFR Chapter I for all vessels other than public vessels of the United States, it is necessary to reduce the visibility requirement for red lights from 5 miles to 2 miles for certain vessels so that light requirements will be consistent.

4. By virtue of the authority vested in me as Commandant, U.S. Coast Guard, by section 632 of Title 14, United States Code, and Department of Transportation Order 1100.1, dated March 31, 1967 (49 CFR 1.4(a)(2), 32 F.R. 5606), to promulgate regulations in accordance with the laws cited with the regulations below, the following amendments are prescribed and shall be effective on and after the

91st day after date of publication of this document in the FEDERAL REGISTER; however, the regulations in this document may be complied with in lieu of existing requirements prior to that date.

5. The authority note for Part 80 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 80 issued under sec. 2, 30 Stat. 102, as amended, sec. 6(b)(1), 80 Stat. 938; 33 U.S.C. 157, 49 U.S.C. 1655(b); Department of Transportation Order 1100.1, Mar. 31, 1967, 49 CFR 1.4(a)(2), 32 F.R. 5606; unless otherwise noted.

**LIGHTS AND DAY SIGNALS FOR VESSELS, DREDGES OF ALL TYPES, AND VESSELS WORKING ON WRECKS AND OBSTRUCTIONS, ETC.**

6. Section 80.18(b) is amended to read as follows:

§ 80.18 Signals to be displayed by a towing vessel when towing a submerged or partly submerged object upon a hawser when no signals can be displayed upon the object which is towed.

(b) By night the towing vessel shall display the regular sidelights but in lieu of the regular white towing lights shall display four lights in a vertical position not less than 3 feet nor more than 6 feet apart, the upper and lower of such lights to be white and of the same character as the regular towing lights, and the middle of such lights to be red and of such character as to be visible on a dark night with a clear atmosphere for a distance of at least 2 miles.

7. Section 80.21(b) is amended to read as follows:

§ 80.21 Dredges underway and engaged in dredging operations.

(b) By night self-propelled dredges underway and engaged in dredging operations shall carry, in addition to the regular running lights, two red lights in a vertical line beneath the white masthead light. These red lights shall be not less than 3 feet nor more than 6 feet apart and the upper red light shall be not less than 3 feet nor more than 6 feet below the masthead light. They shall also carry on or near the stern two red lights in a vertical line not less than 3 feet nor more than 6 feet apart, to show through 12 points of the compass; that is, from right astern to 6 points on each quarter. The forward red lights and after red lights shall be of such character as to be visible on a dark night with a clear atmosphere for a distance of at least 2 miles.

8. Section 80.24 is amended by revising paragraphs (a) and (b) to read as follows:

§ 80.24 Lights generally.

(a) All the lights required by §§ 80.18 to 80.23, inclusive, except as provided in § 80.18(b), shall be of such character as to be visible on a dark night with a clear atmosphere for a distance of at least 2 miles. The white lights provided for in

§ 80.18(b) shall be visible for at least 5 miles.

(b) The lights required by § 80.18(b) shall be of the same construction as the regular towing lights. The lights required by § 80.21(b) shall be of the same construction as the masthead light.

**MISCELLANEOUS**

§ 80.40 [Amended]

8a. Section 80.40 *Exceptions to the statutory and regulatory requirements for lights, day signals, or other navigational means and appliances when operating under bridges* is amended by deleting from the authority note at the end thereof the phrase "Treasury Department Order 167-58, Jan. 29, 1964, 29 F.R. 2314".

9. The authority note for Part 95 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 95 issued under R.S. 4233A, as amended, sec. 6(b)(1), 80 Stat. 938; 33 U.S.C. 353, 49 U.S.C. 1655(b); Department of Transportation Order 1100.1, Mar. 31, 1967, 49 CFR 1.4(a)(2), 32 F.R. 5606; unless otherwise noted.

**GENERAL**

§ 95.02 [Amended]

10. Section 95.02 *Demarcation lines between "Rules of the Road—Western Rivers" and "Rules of the Road—Great Lakes"* is amended by deleting from the authority note at the end thereof the phrase "Treasury Department Orders 120, July 31, 1950, 15 F.R. 6721; 167-17, June 29, 1955, 20 F.R. 4970, 167-33, September 23, 1958, 23 F.R. 7592."

**LIGHTS AND DAY SIGNALS**

11. Section 95.52(b) is amended to read as follows:

§ 95.52 Signals to be displayed by a towing vessel when towing a submerged or partly submerged object upon a hawser when no signals can be displayed upon the object which is towed.

(b) By night the towing vessel shall display the regular sidelights, but in lieu of the regular white towing lights shall display four lights in a vertical position not less than 3 feet, nor more than 6 feet apart, the upper and lower of such lights to be white and of the same character as the regular towing lights, and the middle of such lights to be red and of such character as to be visible on a dark night with a clear atmosphere for a distance of at least 2 miles.

12. Section 95.55(b) is amended to read as follows:

§ 95.55 Self-propelling suction dredges underway and engaged in dredging operations.

(b) By night self-propelled dredges underway and engaged in dredging operations shall carry, in addition to the regular running lights, two red lights in a vertical line beneath the white masthead light. These red lights shall be not less than 3 feet nor more than 6 feet

apart and the upper red light to be not less than 3 feet nor more than 6 feet below the masthead light. They shall also carry on or near the stern two red lights in a vertical line not less than 3 feet nor more than 6 feet apart, to show through 12 points of the compass; that is, from right astern to 6 points on each quarter. The forward red lights and after red lights shall be of such character as to be visible on a dark night with a clear atmosphere for a distance of at least two miles.

13. Section 95.58 is amended by revising paragraphs (a) and (b) to read as follows:

§ 95.58 Lights generally.

(a) All the lights required by §§ 95.52 to 95.57, inclusive, except as provided in § 95.52(b), shall be of such character as to be visible on a dark night with a clear atmosphere for a distance of at least 2 miles. The white lights provided for in § 95.52(b) shall be visible for at least 3 miles.

(b) The lights required by § 95.52(b) shall be of the same construction as the regular towing lights. The lights required by § 95.55(b) shall be of the same construction as the masthead light.

Dated: December 19, 1967.

W. J. SMITH,  
Admiral, U.S. Coast Guard,  
Commandant.

[F.R. Doc. 67-14921; Filed, Dec. 22, 1967; 8:46 a.m.]

[CGFR 67-93]

**SUBCHAPTER K—SECURITY OF VESSELS  
PART 124—CONTROL OVER  
MOVEMENT OF VESSELS**

**SUBCHAPTER L—SECURITY OF WATERFRONT  
FACILITIES**

**PART 126—HANDLING OF EXPLOSIVES OR OTHER DANGEROUS CARGOES WITHIN OR CONTIGUOUS TO WATERFRONT FACILITIES**

**Bulk Cargoes Considered To Involve Particular Hazards**

1. Pursuant to the notice of proposed rule making published in the FEDERAL REGISTER of January 24, 1967 (32 F.R. 795-807), and the Merchant Marine Council Public Hearing Agenda dated March 20, 1967 (CG-249), the Merchant Marine Council held a public hearing on March 20, 1967, for the purpose of receiving comments, views, and data. The proposals considered were identified as Items PH 1-67 to PH 13-67, inclusive. Item PH 3-67 (CG-249, pages 76 to 80, inclusive) contained proposals regarding United States and foreign vessels carrying bulk cargoes having particular hazards and the handling of bulk cargoes having particular hazards on waterfront facilities. These proposals, as revised, are adopted and set forth in this document.

2. Interested persons have been afforded an opportunity to participate in the consideration of these proposals.

Many changes were made in the proposals in Item PH 3-67. Informal meetings were held with the Chemical Transportation Advisory Panel of the Merchant Marine Council and others. The major changes consist of revising the descriptive term from "cargoes having potential unusual risks" to "cargoes considered to involve particular hazards"; listing the commodities considered to involve particular described hazards; clarifying the application of regulations to U.S. vessels engaged solely in domestic trade; and clarifying the conditions for establishing designated waterfront facilities for handling cargoes having particular hazards. The Merchant Marine Council's actions with respect to comments received and proposals in Item PH 3-67 are approved.

3. By virtue of the authority vested in me as Commandant, U.S. Coast Guard, by section 632 of Title 14, United States Code, and Department of Transportation Order 1100.1, dated March 31, 1967 (49 CFR 1.4(a)(2), 32 F.R. 5606), to promulgate regulations in accordance with the laws and Executive orders cited with the regulations below, the following amendments and new regulations are prescribed and shall be effective on and after January 1, 1967:

4. The authority note for Part 124 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 124 issued under sec. 1, 40 Stat. 220, as amended, sec. 6(b)(1), 80 Stat. 938; 50 U.S.C. 191, 49 U.S.C. 1655(b); E.O. 10173, 15 F.R. 7005, 3 CFR, 1950 Supp., E.O. 10277, 16 F.R. 7537, 3 CFR, 1951 Supp., E.O. 10352, 17 F.R. 4607, 3 CFR, 1952 Supp., Department of Transportation Order 1100.1, Mar. 31, 1967, 49 CFR 1.4(a)(2), 32 F.R. 5606.

5. Section 124.14 is amended to read as follows:

**§ 124.14 Advance notice of arrival of vessel laden with explosives or certain specified dangerous cargoes.**

(a) The master, agent, or person in charge of any domestic or foreign vessel which is bound for a port or place in the United States and which is carrying as cargo any of the dangerous cargoes described in this paragraph, whether for discharge in the United States or not, shall at least 24 hours in advance of arrival at each port or place, notify the Captain of the Port or the Commander of the Coast Guard District in which such port or place is located concerning the amount and location of stowage on board the vessel of any of the following:

- (1) Explosives, class A (commercial or military).
- (2) Oxidizing materials for which a special permit for water transportation is required by 46 CFR 146.22.
- (3) Radioactive materials for which a special approval by the Commandant for water transportation is required by 46 CFR 146.25-30.
- (4) Any dangerous cargo considered to involve a particular hazard, when transported or handled in bulk quantities, as further described in paragraph (b) of this section.

(b) (1) A dangerous cargo considered to involve a particular hazard, when transported in bulk quantities on board vessels, or when handled in bulk quantities on waterfront facilities, is any commodity which by virtue of its properties would create an unusual hazard if released. The commodities subject to this section are:

Acetaldehyde.	Hydrochloric acid.
Acetone cyanohydrin.	Methane.
Acetonitrile.	Methyl acrylate.
Acrylonitrile.	Methyl bromide.
Allyl alcohol.	Methyl chloride.
Allyl chloride.	Methyl methacrylate (monomer).
Ammonia, anhydrous.	Nonyl phenol.
Aniline.	Oleum.
Butadiene.	Phenol.
Carbolic oil.	Phosphorus, elemental.
Carbon disulfide.	Propane.
Chlorine.	Propylene.
Chlorohydrins, crude.	Propylene oxide.
Crotonaldehyde.	Sulfuric acid.
1,2-Dichloropropane.	Sulfuric acid, spent.
Dichloropropene.	Tetraethyl lead.
Epichlorohydrin.	Tetraethyl lead mixture.
Ethylene.	Vinyl acetate.
Ethyl ether.	Vinyl chloride.
Ethylene oxide.	Vinylidene chloride.

(2) Each commodity listed in subparagraph (1) of this paragraph is considered to possess one or more of the following properties:

- (i) Is highly reactive or unstable; or
- (ii) Has severe or unusual fire hazards; or
- (iii) Has severe toxic properties; or
- (iv) Requires refrigeration for its safe containment; or
- (v) Can cause brittle fracture of normal ship structural materials or ashore containment materials by reason of its being carried at low temperatures, or because of its low boiling point at atmospheric pressure (unless uncontrolled release of the cargo is not a major hazard to life).

(c) For U.S. vessels, this section is applicable to such vessels on international voyages, coastwise voyages, or Great Lakes voyages. For foreign vessels this section is applicable to such vessels when bound to a port or place in the United States, or a port or place under the jurisdiction of the United States.

(d) When the arrival is a direct result of "force majeure" and it is not possible to give at least 24 hours advance notice, then advance notice as early as possible will be given.

6. The authority note for Part 126 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 126 issued under sec. 1, 40 Stat. 220, as amended, sec. 6(b)(1), 80 Stat. 938; 50 U.S.C. 191, 49 U.S.C. 1655(b); E.O. 10173, 15 F.R. 7005, 3 CFR, 1950 Supp., E.O. 10277, 16 F.R. 7537, 3 CFR, 1951 Supp., E.O. 10352, 17 F.R. 4607, 3 CFR, 1952 Supp., Department of Transportation Order 1100.1, Mar. 31, 1967, 49 CFR 1.4(a)(2), 32 F.R. 5606.

7. Section 126.05 is amended by designating the present text as paragraph (a)

and by adding a new paragraph (b) so that it reads as follows:

**§ 126.05 Designated waterfront facility.**

(a) *Designated waterfront facility.* The term "designated waterfront facility" means a waterfront facility designated by § 126.13 for the handling and storage of, and for vessel loading and discharging of, explosives, flammable or combustible liquids in bulk, or other dangerous articles or cargo covered by the regulations entitled "Explosives or Other Dangerous Articles on Board Vessels" (46 CFR Part 146) and the regulations governing tank vessels (46 CFR Parts 30 to 39, inclusive).

(b) *Facility of particular hazard.* The term "facility of particular hazard" means a designated waterfront facility which is authorized to handle in bulk quantities any of the commodities listed in § 124.14(b) or any commodity for which a permit is required by 46 CFR Part 146.

8. Section 126.15 is amended by revising paragraph (m) (6) and by adding a new paragraph (o), which read as follows:

**§ 126.15 Conditions for designation as designated waterfront facility.**

- (m) \* \* \*
- (6) Cross aisles, at least five (5) feet wide and straight shall be maintained at intervals not exceeding seventy-five (75) feet, and extending to the side of the waterfront facility.

(o) *Maintenance of bulk liquid cargo transfer systems.* The cargo transfer system(s) used for handling any bulk dangerous cargo shall be so maintained as to prevent leakage. Suitable means, such as drip pans for collecting liquids, shall be provided during coupling or uncoupling operations if necessary.

9. Part 126 is amended by inserting after § 126.15 a new § 126.16 reading as follows:

**§ 126.16 Conditions for designating a "facility of particular hazard."**

(a) *Basic requirements.* The facility shall comply with all the conditions in § 126.15 except where specifically waived by § 126.11.

(b) *Warning alarms.* Warning alarms shall be installed at the waterside of such a facility to warn approaching or transiting water traffic of immediate danger in the event of fire or cargo release. Warning alarms shall be of the siren type, or the emergency rotating flashing light type, and be of sufficient intensity to be heard, or seen, a distance of 1 mile during normal facility working conditions. The alarm signal shall not conflict with local municipal prescription.

Dated: December 19, 1967.

W. J. SMITH,  
Admiral, U.S. Coast Guard,  
Commandant.

[F.R. Doc. 67-14922; Filed, Dec. 22, 1967;  
8:46 a.m.]

**Title 43—PUBLIC LANDS:  
INTERIOR**

**Chapter II—Bureau of Land Management,  
Department of the Interior**

**APPENDIX—PUBLIC LAND ORDERS**

[Public Land Order 4339]

[Washington 02626]

**WASHINGTON**

**Withdrawal for Colockum Game Range**

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described public lands which are under the jurisdiction of the Secretary of the Interior, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, and reserved for management in cooperation with the State of Washington as an addition to the existing Colockum Game Range:

**WILLAMETTE MERIDIAN**

- T. 19 N., R. 21 E.,  
Sec. 24, NW $\frac{1}{4}$ NE $\frac{1}{4}$  and NE $\frac{1}{4}$ SE $\frac{1}{4}$ .
- T. 19 N., R. 22 E.,  
Sec. 4, lots 1, 2, 4, and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 10, S $\frac{1}{2}$ NW $\frac{1}{4}$  and N $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 12, lots 2, 3, 4, and 5;  
Sec. 20, SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 24, lots 1, 2, 3, 4, W $\frac{1}{2}$ NE $\frac{1}{4}$ , and W $\frac{1}{2}$ ;  
Sec. 26, lots 1, 2, and SE $\frac{1}{4}$ SW $\frac{1}{4}$ .
- T. 19 N., R. 23 E.,  
Sec. 18, lot 2.

The areas described aggregate 1,262.07 acres in Kittitas County.

2. Upon execution of a cooperative agreement with the Secretary of the Interior or his delegate, the State of Washington is authorized to manage the lands for the conservation of wildlife, consistent with Federal programs for the management of the lands.

3. The withdrawal made by this order does not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws. However, leases, licenses, contracts, or permits will be issued only if the proposed use of the lands will not interfere with the proper management of the Colockum Game Range.

HARRY R. ANDERSON,  
Assistant Secretary of the Interior.

DECEMBER 18, 1967.

[F.R. Doc. 67-14903; Filed, Dec. 22, 1967; 8:45 a.m.]

**Title 46—SHIPPING**

**Chapter II—Maritime Administration,  
Department of Commerce**

**SUBCHAPTER C—REGULATIONS AFFECTING  
SUBSIDIZED VESSELS AND OPERATORS**

[General Order 22, Rev., Amdt. 6]

**PART 282—UNIFORM SYSTEM OF  
ACCOUNTS FOR OPERATING-DIF-  
FERENTIAL SUBSIDY CONTRAC-  
TORS**

**Miscellaneous Amendments**

Part 282 of this title and chapter is hereby amended as set forth below:

1. Add a new section following § 282.0-10 under the center heading "General Instructions" to read as follows:

**§ 282.0-11 Extraordinary and prior period items.**

(a) (1) All items of profit and loss recognized during the year are includable in ordinary income except nonrecurring items which in the aggregate for the same class are both material in relation to operating revenues and ordinary income for the year and are clearly not identified with or do not result from the usual business operations of the year. Important items of the kind which occur from time to time and which, when material in amount, are to be excluded from ordinary income are those resulting from unusual sales of property and investment securities other than temporary cash investments; from wars and similar calamities and catastrophes, which are not a recurrent hazard of the business and which are not usually covered by insurance; from change in application of accounting principles; and from prior period items (other than ordinary adjustments of a recurring nature). Material items are those which, unless excluded from ordinary income, would distort the accounts and impair the significance of ordinary income for the year. Items so excludable from ordinary income are to be entered directly in the income accounts provided for extraordinary and prior period items upon approval or direction of the Administration.

(2) Adjustments constituting items of customary business activities or corrections or refinements resulting from the natural use of estimates inherent in the accounting process, including those arising from disposal of a unit of property sold or retired in the regular course of business operations, shall not be considered extraordinary or prior period items regardless of size.

(b) In determining materiality, items of a similar nature shall be considered in the aggregate; dissimilar items should be considered individually. As a general standard, an item to qualify for inclusion as an extraordinary or prior period item, shall exceed 1 percent of total waterline

operating revenues and 10 percent of ordinary income for the year.

(c) Ordinary delayed items and adjustments arising during the current year which are applicable to or related to transactions of prior years shall be included in the same accounts which would have been charged or credited if the item had been taken up or adjusted in the period to which it pertained. Ordinary delayed items exclude items of the character described in paragraph (a) of this section.

2. Amend § 282.329 *Reserve for revaluation of investments* by revising paragraph (a) thereof to read as follows:

**§ 282.329 Reserve for revaluation of investments.**

(a) This account shall be credited at the close of each accounting period with amounts necessary to reflect the decline in value of securities and other assets held as investments, where there appears to be a permanent impairment in their value, by contra charge to account 979, "Miscellaneous deductions from income," or account 990, "Extraordinary items," as appropriate.

3. Amend § 282.330 *Property and equipment* by revising paragraph (a) thereof as follows:

**§ 282.330 Property and equipment.**

(a) This account shall include the cost of acquisition or construction, including additions and betterments, of property and equipment owned by the carrier.

4. Amend § 282.332 *Reserve for amortization and depreciation; vessels* by changing the heading and paragraph (a) thereof to read as follows:

**§ 282.332 Reserve for depreciation; vessels.**

(a) This account shall be credited with all depreciation on vessels charged to account 981, "Depreciation; floating equipment; vessels."

5. Amend § 282.338 *Reserve for amortization and depreciation; other floating equipment* by changing the heading and paragraph (a) thereof to read as follows:

**§ 282.338 Reserve for depreciation; other floating equipment.**

(a) This account shall be credited with all depreciation charged to account 984, "Depreciation; other floating equipment."

6. Amend § 282.343 *Terminal property and equipment* to read as follows:

**§ 282.343 Terminal property and equipment.**

(a) This account shall include the cost of construction or acquisition, in-

cluding additions and betterments, of terminal, land, buildings (including improvements to property under long term lease), shore cranes, trucks, furniture and fixtures, and other terminal gear and equipment.

(b) Subsidiary accounts shall be subdivided as between the various kinds of property and equipment, and shall be maintained in such manner as to show location, original cost, cost of additions and betterments.

7. Amend § 282.344 *Reserve for amortization and depreciation; terminal property and equipment* by changing the heading and paragraph (a) thereof to read as follows:

§ 282.344 *Reserve for depreciation; terminal property and equipment.*

(a) This account shall be credited with all depreciation on terminal property and equipment which is charged to account 987, "Depreciation; terminal property and equipment."

§ 282.349 [Amended]

8. Amend § 282.349 *Other shipping property and equipment* by deleting in paragraph (a) thereof the following after the word "betterments" ", and any appreciated book value" and by deleting the following ", and any appreciation of book value" at the end of paragraph (b).

§ 282.350 [Amended]

9. Amend § 282.350 *Reserve for amortization and depreciation; and other shipping property and equipment* by changing the heading thereof to read "§ 282.350 *Reserve for depreciation; other shipping property and equipment.*"

10. Amend § 282.354 *Reserve for amortization and depreciation; nonshipping property and equipment* by changing the heading and paragraph (a) thereof to read as follows:

§ 282.354 *Reserve for depreciation; nonshipping property and equipment.*

(a) This account shall be credited with all depreciation on nonshipping property and equipment which is charged to account 986, "Depreciation; nonshipping property and equipment."

11. Amend § 282.384 *Debt discount and expense* by revising paragraph (b) thereof to read as follows:

§ 282.384 *Debt discount and expense.*

(b) When an issue of funded debt, or any part thereof, is refunded and at the date of refunding there is a balance of unamortized discount and expense relating to such issue, such balance, together with any premium paid in retiring such issue, shall be charged to account 979, "Miscellaneous deductions from income," or to account 990, "Extraordinary items," as may be appropriate, in accordance with the text of these accounts.

12. Amend § 282.556 *Premium on funded debt* by revising paragraph (b) thereof to read as follows:

§ 282.556 *Premium on funded debt.*

(b) When an issue of funded debt or any part thereof is refunded and at the date of refunding there is a balance of unamortized premium relating thereto, the amount of such balance shall be credited to account 690, "Miscellaneous other income," or to account 990, "Extraordinary items," as may be appropriate, in accordance with the text of these accounts.

§ 282.570 [Amended]

13. Amend § 282.570 *Reserve for insurance* by revising the last sentence of paragraph (b) to read "At the end of each accounting year, any balance in this account applicable to voyages terminated during the preceding accounting year, in those instances where the records indicate that all claims have been settled, shall be transferred to the appropriate insurance expense account, consistent with § 282.0-11(c)."

§ 282.595 [Deleted]

14. Delete § 282.595 *Appreciation surplus* in its entirety.

15. Revise § 282.599 *Earned surplus; unappropriated* to read as follows:

§ 282.599 *Earned surplus; unappropriated.*

(a) All profits and losses shown in account 095, "Profit and loss account," at the end of the accounting year shall be recorded in this account.

(b) Any part of earned surplus appropriated for any purpose shall be charged to this account, including excess profits accruing to the Maritime Administration under the "recapture" clauses in sections 606 and 607 of the Merchant Marine Act, 1936, which shall be credited to account 550, "Recapturable profits; Maritime Administration."

(c) This account shall include losses on resale of reacquired capital stock and charges which reduce or write off discount on capital stock issued by the company but only to the extent that such charges exceed credit balances in capital surplus for shares reacquired.

(d) This account shall include other adjustments, net of assigned Federal income taxes, not provided for elsewhere in this system but only after such inclusion has been authorized by the Administration.

16. Amend the center heading preceding § 282.600 and revise paragraph (a) of § 282.600 to read as follows:

#### INCOME ACCOUNTS

##### ORDINARY ITEMS

##### WATER LINE OPERATING REVENUE

§ 282.600 *Operating revenue; terminated voyages.*

(a) This account shall include all revenue on terminated voyages transferred from account 500, "Unterminated voyage revenue." Revenue items recorded on terminated voyages, after the transfer has been made, shall be posted in detail direct to this account. Revenue items arising in

connection with voyages terminated in prior years shall be accounted for as ordinary delayed items pursuant to § 282.0-11(c).

17. Revise § 282.690 *Miscellaneous other income* to read as follows:

§ 282.690 *Miscellaneous other income.*

(a) This account shall include all income not provided for elsewhere, such as:

Cash discounts.  
Profits from conversion of foreign currencies. (Transferred from account 050, "Foreign exchange account.")  
Fees collected in connection with exchange of coupon bonds for registered bonds.  
Profit from sale of securities.  
Profit from sale of shipping and nonshipping property.  
Profit from company bonds reacquired.

(b) When the profit from sale of property and equipment, or securities, or from reacquisition of the company's own bonds is of an amount sufficiently large to constitute an extraordinary item, pursuant to § 282.0-11, such profit shall be credited to account 990, "Extraordinary items."

§ 282.700 [Amended]

18. Amend § 282.700 *Operating expenses; terminated voyages* by revising the last sentence of paragraph (a) thereof to read "Expense items arising in connection with voyages terminated in prior years shall be accounted for as ordinary delayed items pursuant to § 282.0-11(c)."

19. Amend § 282.979 *Miscellaneous deductions from income* to read as follows:

§ 282.979 *Miscellaneous deductions from income.*

(a) This account shall include amounts properly chargeable to income, not provided for elsewhere, such as:

Calls for bids in accordance with provision of mortgages.  
Cost of advertising bonds drawn for redemption.  
Losses due to conversion of foreign currencies. (Transferred from account 050, "Foreign exchange account.")  
Premiums on bonds to assure performance of contracts when chargeable to income.  
Taxes on interest on funded debt payable at source under tax-free covenants.  
Trusts, current expenses of maintaining, and administering.  
Trustees' commissions and fees for paying bond interest on coupons and expenses connected with such payments.  
Loss on sale of shipping and nonshipping property and equipment.  
Loss on sale of securities and charges to write down the book value of securities because of impairment in their value.  
Loss on company bonds reacquired.

(b) When the loss from sale of property and equipment, or securities, or from write down of securities because of impairment in value, or reacquisition of the company's own bonds is of an amount sufficiently large to constitute an extraordinary item, pursuant to § 282.0-11 such loss shall be charged to account 990, "Extraordinary items."

§ 282.985 [Redesignated]

20. Section 282.995 *Expense of nonshipping operations* is redesignated § 282.985.

21. Redesignate § 282.996 *Depreciation; nonshipping property and equipment* as § 282.986 and revise it to read as follows:

§ 282.986 *Depreciation; nonshipping property and equipment.*

The annual or other periodical accrual of depreciation of property and equipment used in ventures other than shipping and shipping auxiliary operations shall be charged to this account with a corresponding credit to account 354, "Reserve for depreciation; nonshipping property and equipment."

22. Revise the heading and text of § 282.989 *Provision for Federal income taxes* to read as follows:

§ 282.989 *Federal income taxes on ordinary income.*

(a) This account shall be charged with accrued provision for Federal income taxes applicable to ordinary income of the accounting year. See the text of account 599, "Earned surplus; unappropriated" and account 998, "Federal income taxes on extraordinary and prior period items," for recording other income tax consequences.

(b) Details pertaining to the tax consequences of other unusual and significant items and also cases where the tax consequences are disproportionate to the related amounts included in the income accounts, shall be submitted to the Administration for consideration and decision as to proper accounting.

(c) Income taxes which are refundable or reduced as the result of carryback or carry-forward of operating loss shall be credited to this account, if a carryback, in the year in which the loss occurs, or, if a carry-forward, in the year in which such loss is applied to reduce taxes. However, when the amount constitutes an extraordinary item pursuant to § 282.0-11, it shall be included in account 994, "Prior period items."

23. Add a new center heading and sections (Account Numbers) following new § 282.989 *Federal income taxes on ordinary income* reading as set forth below:

EXTRAORDINARY AND PRIOR PERIOD ITEMS

§ 282.990 *Extraordinary items (net).*

(a) This account shall include extraordinary items accounted for during the current accounting year in accordance with the text of § 282.0-11, upon approval of the Administration. Among the items which shall be included in this account are:

- Net gain or loss on sale of shipping and nonshipping property and equipment.
- Net gain or loss on sale of securities and charges to write down the book value of such securities because of impairment of value.
- Net gain or loss on reacquisition of company bonds.
- Change in application of accounting principles.

(b) This account shall be maintained to show the nature and gross amount of each debit and credit, together with the applicable year, vessel name, and voyage number.

(c) Federal income tax consequences of charges and credits to this account shall be recorded in account 998, "Federal income taxes on extraordinary and prior period items."

§ 282.994 *Prior period items (net).*

(a) This account shall include unusual delayed items accounted for during the current accounting year in accordance with the text of § 282.0-11, upon approval of the Administration. Among the items which shall be included in this account are:

- Unusual adjustments, refunds or assessments of Federal income taxes of prior years.
- Similar items representing transactions of prior years which are not identifiable with or do not result from business operations of the current year.

(b) This account shall be maintained to show the nature and gross amount of each debit and credit, together with the applicable year, vessel name, and voyage number.

(c) Federal income tax consequences of charges and credits to this account shall be recorded in account 998, "Federal income taxes on extraordinary and prior period items."

§ 282.998 *Federal income taxes on extraordinary and prior period items.*

This account shall include the estimated Federal income tax consequences (debit or credit) assignable to the aggregate of items of both taxable income and deductions from taxable income which, for accounting purposes, are classified as unusual and extraordinary, and are recorded in accounts 990, "Extraordinary items" and 994, "Prior period items."

§ 282.090 [Deleted]

24. Delete § 282.090 *Adjustments applicable to prior periods* in its entirety.

25. Revise § 282.095 *Profit and loss account* to read as follows:

§ 282.095 *Profit and loss account.*

At the end of the accounting year this account shall be credited or charged, as the case may be, with the balances in all ordinary, extraordinary and prior period revenue and expense accounts, except where otherwise specifically indicated. After all entries have been made, the account shall reflect the net income for the accounting year. The net balance in this account after adjustments have been made for the accounting year shall be transferred to account 599, "Earned surplus; unappropriated."

§ 282.0-20 [Amended]

26. Amend § 282.0-20 *Balance sheet statement* by deleting account 595, "Appreciation surplus" and by changing the headings of certain accounts listed thereunder to read as follows:

- 332 Less: Reserve for depreciation.
- 338 Less: Reserve for depreciation.

- 344 Less: Reserve for depreciation.
- 350 Less: Reserve for depreciation.
- 354 Less: Reserve for depreciation.

§ 282.0-30 [Amended]

27. Amend § 282.0-30 *Income statement* by (a) inserting a new center heading "Ordinary Items" directly preceding the accounts listing; (b) deleting line items following Account No. 695, and (c) adding the following:

- 985 Expense of nonshipping operations.
    - Gross profit (or loss) from nonshipping operations.
  - 985 Overhead expense.
  - 986 Depreciation; nonshipping property and equipment.
    - Total expenses.
    - Net profit (or loss) from nonshipping operations.
    - Ordinary income (or loss) before Federal income taxes.
  - 989 Federal income taxes on ordinary income.
    - Ordinary income (or loss).
- EXTRAORDINARY AND PRIOR PERIOD ITEMS
- 990 Extraordinary items (net).
  - 994 Prior period items (net).
  - 998 Federal income taxes on extraordinary and prior period items.
    - Total extraordinary and prior period items.
    - Net income (or loss).

*Effective date.* The foregoing shall be effective January 1, 1967.

(Sec. 204, 49 Stat. 1987, as amended; 46 USC, 1114; Cross Reference: 49 CFR Part 423)

By order of the Acting Maritime Administrator.

Dated: December 19, 1967.

JAMES S. DAWSON, JR.,  
Secretary.

[F.R. Doc. 67-14912; Filed, Dec. 22, 1967; 8:45 a.m.]

Title 49—TRANSPORTATION

Subtitle A—Office of the Secretary of Transportation

[OST Docket No. 14]

PART 93—AIRCRAFT ALLOCATION

Part 1502 of Title 14, Code of Federal Regulations, published in the FEDERAL REGISTER on January 22, 1964 (29 F.R. 526), contained certain rules implementing section 3(c)(2) of Executive Order 10999, relating to aircraft allocation to the Department of Defense for the Civil Reserve Air Fleet Program and as a civil reserve fleet for use in that program. At that time the regulation was administered by the Office of Emergency Transportation in the Office of the Under Secretary of Commerce for Transportation. Under the Department of Transportation Act (Public Law 89-670) this function was transferred to the Department of Transportation and the regulation is now administered by the Office of the Secretary of Transportation.

For these reasons, Part 1502 of Title 14 is being superseded by a new Part 93 of Title 49 CFR, containing the substance of Part 1502 with changes in

terminology to reflect the vesting of functions within the Department of Transportation.

Since this amendment relates to Departmental management, procedures, and practices, notice and public procedure thereon is unnecessary and it may be made effective in less than 30 days after publication in the FEDERAL REGISTER.

In consideration of the foregoing, Title 49 of the Code of Federal Regulations is amended by adding the following new Part 93 "Aircraft Allocation" which supersedes the Department of Commerce regulation Part 1502 of Title 14, dated January 22, 1964. This amendment is effective upon publication in the FEDERAL REGISTER.

Issued in Washington, D.C., on December 19, 1967.

ALAN S. BOYD,  
Secretary of Transportation.

Sec.  
93.1 Issuance of aircraft allocations.  
93.3 Reporting requirements.

**AUTHORITY:** The provisions of this Part 93 issued under sec. 9, Department of Transportation Act (49 U.S.C. 1657).

#### § 93.1 Issuance of aircraft allocations.

From time to time, the Director, Office of Emergency Transportation, issues planning orders allocating aircraft to the Department of Defense, identified by FAA registration number, for the Civil Reserve Air Fleet Program, or as a reserve fleet for use in certain contingencies in the Civil Reserve Air Fleet Program of the Department of Defense. The current listing of aircraft allocations will appear in the Notices section of the FEDERAL REGISTER.

#### § 93.3 Reporting requirements.

In the event any aircraft identified in the allocations in effect—

(a) Is destroyed or suffers major damage the owner or operator, or both, shall give immediate notice thereof to the Director, Office of Emergency Transportation; or

(b) Is sold, leased, or otherwise transferred, the transferor or owner, or both, shall give immediate notice thereof to the Director, Office of Emergency Transportation, together with full information concerning the identity of the transferee, the date and place of transfer, and the terms and conditions of the transfer.

[F.R. Doc. 67-14011; Filed, Dec. 22, 1967; 8:46 a.m.]

## Chapter X—Interstate Commerce Commission

### SUBCHAPTER B—PRACTICE AND PROCEDURE [Ex Parte No. 55]

#### PART 1100—GENERAL RULES OF PRACTICE

##### Miscellaneous Amendments

**Order.** At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 15th day of December 1967.

There being under consideration the Commission's general rules of practice and for good cause appearing therefor:

It is ordered, That Part 1100 of Chapter X of Title 49 be amended as follows:

1. In § 1100.8, the caption, opening paragraph, and paragraph (a) are amended and a new paragraph (c) is added to read as follows:

#### § 1100.8 Practitioners' qualifications and requirements. (Rule 8)

The following persons shall be permitted to practice before the Commission:

(a) *Attorneys at Law.* Any person who is a member in good standing of the bar of the highest court of any State, possession, territory, Commonwealth or the District of Columbia may represent others before the Commission upon filing with the Commission a written declaration so stating that he is currently qualified. The written declaration shall contain the declarant's full name, address, and telephone number. A declaration may be filed with the Secretary of the Commission in the form as shown in Appendix D to this part, in which event the attorney's name will be entered in the Register of Attorneys at Law. Attorneys may also file declarations with the Secretary or a Hearing Officer when making an initial appearance in any proceeding and the Attorney's name will be entered in the Register of Attorneys at Law. Once an attorney's name is entered in the Register of Attorneys at Law no further declaration of qualification will be required except in those instances where an attorney's right to practice has been suspended in which event a written declaration will be required that he is now properly qualified in accordance with this paragraph.

(c) *Appearances.* Practitioners who meet the requirements set forth in paragraphs (a) and (b) of this section shall also file a declaration that they are authorized to represent the particular party in whose behalf they propose to act at the time of making an initial appearance in any proceeding. This requirement will be met by the practitioner entering his name as the representative of an applicant in the appropriate space on an application form; by signing any complaint, petition, protest, reply, or other pleading with a designation following the practitioner's signature that he is the attorney or other representative of a party therein named; by entering an appearance on the form provided at any hearing; or by filing a letter with the Secretary of the Commission stating that he is authorized to represent a party, whose name and address is given in a particular proceeding which shall be identified.

2. In § 1100.9 the caption and text is amended to read as follows:

#### § 1100.9 Nonattorneys' applications for admission to practice. (Rule 9)

An application under oath for admission to practice shall be addressed to the Commission, Washington, D.C. 20423,

and must state the name, residence address, and business address of the applicant, and the nature of his qualifications. Such application shall also state whether the applicant has ever been suspended or disbarred as an attorney, or whether his right to practice has ever been revoked by any court, commission, or administrative agency, in any jurisdiction. Such application shall be accompanied by a certificate signed by three or more practitioners as sponsors for the applicant, which certificate shall recite that applicant possesses all the requisite qualifications under this section and under Rule 8(b), and the sponsors shall incorporate in their certificate a recommendation and motion that applicant be admitted to practice under this section.

3. In § 1100.10, the caption is amended to read as follows:

#### § 1100.10 Additional certificates by applicant's sponsors; hearing; abandonment of application. (Rule 10)

4. Section 1100.11 is revised to read as follows:

#### § 1100.11 Application fee. (Rule 11)

An application filed under Rule 9 must be accompanied by a fee of \$10. Payment must be made either in cash, or by check, or money order payable to the Interstate Commerce Commission. The fee will be returned if applicant is not admitted to practice.

5. In § 1100.12, the caption and text is amended to read as follows:

#### § 1100.12 Applicant's oath. (Rule 12)

No applicant under Rule 9 shall be admitted to practice before the Commission until he shall have subscribed to an oath or affirmation that he will demean himself, as a practitioner before the Commission, uprightly, and according to law; and that he will support the Constitution of the United States and will conform to the rules and regulations of the Commission.

6. Section 1100.13 is revised to read as follows:

#### § 1100.13 Denial of admission, censure, suspension, or disbarment of practitioners. (Rule 13)

The Commission may, in its discretion, deny admission, censure, suspend, or disbar any person not an attorney who, it finds, does not possess the requisite qualifications to represent others, or is lacking in character, integrity, or proper professional conduct. All persons whether or not admitted to practice under Rule 8 or 9, must, in their representations before the Commission conform to the code of ethics for Practitioners, which code is set forth as Appendix A to this part. If for good cause shown, the Commission shall be of the opinion that any attorney is not conforming to such standards, or that he has been otherwise guilty of conduct warranting disciplinary action the Commission may issue an order requiring such attorney to show cause why he

should not be suspended or denied the right to practice before the Commission. If such attorney shall fail to show good cause why he should not be suspended or denied the right to practice, he may be censured, suspended, or disbarred. Any person who has been admitted to practice may be suspended or disbarred only after he is afforded an opportunity to be heard.

7. Following the text of Part 1100, a new Appendix D is added reading as follows:

APPENDIX D

I, -----  
(Name)

(Address) (Telephone No.)  
hereby declare that I am an attorney at law qualified as a member in good standing of the bar of the highest court of the<sup>1</sup> -----

-----  
(Signature)

(Secs. 12, 17, 24 Stat. 383, as amended, 385, as amended; secs. 204, 205, 49 Stat. 546, as amended; secs. 304, 316, 54 Stat. 933, 946; secs. 403, 417, 56 Stat. 285, 297; 49 U.S.C. 12, 17, 304, 905, 904, 916, 1003, 1017)

*It is further ordered,* That these amendments shall be effective December 29, 1967.

*And it is further ordered,* That notice of this order shall be given to the general public by depositing a copy hereof in the Office of the Secretary of the Commission, Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

By the Commission.

[SEAL] H. NEIL GARSON,  
Secretary.

[F.R. Doc. 67-14925; Filed, Dec. 22, 1967;  
8:46 a.m.]

<sup>1</sup> Specify State, possession, Commonwealth or territory.

# Proposed Rule Making

## DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[ 14 CFR Part 71 ]

[Airspace Docket No. 67-SW-90]

### CONTROL ZONES AND TRANSITION AREA

#### Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations to alter controlled airspace in the San Antonio, Tex., terminal area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Southwest Region, Federal Aviation Administration, Post Office Box 1689, Fort Worth, Tex. 76101. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Division. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Tex. An informal docket will also be available for examination at the Office of the Chief, Air Traffic Division.

The Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

It is proposed to amend the San Antonio, Tex. (International Airport) control zone, as described in FAR, Part 71, § 71.171 (32 F.R. 2133), as follows:

#### SAN ANTONIO, TEX. (INTERNATIONAL AIRPORT)

That airspace within a 5-mile radius of San Antonio International Airport (lat. 29°31'50" N., long. 98°28'12" W.); within 2 miles each side of the San Antonio VORTAC 184° radial (175° magnetic) extending from the 5-mile radius zone 1 mile south of the VORTAC; within 2 miles each side of the San Antonio ILS localizer northwest course extending from the 5-mile radius zone to 1 mile southeast of the OM, within 2 miles each side of the San Antonio ILS localizer northeast course extending from the 5-mile

radius zone to 6 miles northeast of the airport, and within 2 miles each side of San Antonio ILS localizer southeast course extending from the 5-mile radius zone to 7 miles southeast of the localizer, and within 2 miles each side of a 132° bearing (123° magnetic) from the RBN extending from the 5-mile radius zone to 15.5 miles southeast of the RBN.

The control zone extensions 7 miles southeast of the localizer and 15.5 miles southeast of the RBN will provide controlled airspace for aircraft executing ILS and ADF approaches respectively to Runway 30L at San Antonio International Airport.

It is proposed to amend the San Antonio, Tex. (Randolph AFB) control zone, as described in FAR, Part 71, § 71.171 (32 F.R. 2133), as follows:

#### SAN ANTONIO, TEX. (RANDOLPH AFB)

That airspace within a 5-mile radius of Randolph AFB (lat. 29°32'09" N., long. 98°16'57" W.); within 2 miles each side of the La Vernia, Tex. VOR 329° and 338° radials (320° magnetic and 329° magnetic respectively) extending from the 5-mile radius zone to 1 mile northwest of the VOR, within 2 miles each side of the Randolph AFB TACAN 323° radial (314° magnetic) extending from the TACAN to 8 miles northwest, and within 2 miles each side of the Randolph AFB TACAN 156° (147° magnetic) radial extending from the TACAN to 8 miles southeast.

The control zone extensions 8 miles northwest and 8 miles southeast of the Randolph AFB TACAN will provide necessary controlled airspace for aircraft executing en route radar tacan approaches to Runways 14L/32R at Randolph AFB.

It is proposed to amend the San Antonio, Tex., 700-foot portion of the transition area, as described in FAR, Part 71, § 71.181 (32 F.R. 2249, 10840), as follows:

#### SAN ANTONIO, TEX.

That airspace extending upward from 700 feet above the surface bounded by a line beginning at lat. 29°22'30" N., long. 97°47'00" W., thence west via lat. 29°22'30" N., to and clockwise along the arc of a 23-mile radius circle centered at lat. 29°31'50" N., long. 98°28'12" W., to lat. 29°46'30" N., east of long. 98°30'00" W.; thence to lat. 29°43'00" N., long. 98°01'30" W., thence to point of beginning, within 5 miles northeast and 8 miles southwest of the La Vernia VOR 149° radial (140° magnetic) extending from the VOR to 12 miles southeast, within 2 miles each side of the Kelly VOR 189° (180° magnetic) radial extending from the VOR to 26 miles south; within 2 miles each side of the Stinson VOR 166° radial (157° magnetic) extending from the VOR to 8 miles southeast, and within 2 miles each side of the Stinson VOR 148° radial (139° magnetic) extending from the VOR to 16 miles southeast.

Extensions to the 700-foot portion of the San Antonio, Tex., transition area will provide necessary controlled airspace for aircraft executing the VOR instrument approach to Stinson Municipal Airport and for IFR aircraft transitioning from the McCoy intersection to the Stinson VOR.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Fort Worth, Tex., on December 14, 1967.

A. L. COULTER,  
Acting Director, Southwest Region.  
[F.R. Doc. 67-14936; Filed, Dec. 22, 1967;  
8:47 a.m.]

[ 14 CFR Part 71 ]

[Airspace Docket No. 67-AL-24]

### CONTROLLED AIRSPACE

#### Proposed Designation

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate a control area between Bettles, Alaska, and Point Barrow, Alaska.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Alaskan Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 632 Sixth Avenue, Anchorage, Alaska 99501. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The Federal Aviation Administration proposes the designation of the Bettles, Alaska, additional control area as that airspace within 5 nautical miles each side of a direct line extending from the Bettles radio beacon to the Point Barrow, Alaska, radio beacon (Identification—PBA) including the additional airspace between lines diverging at 5° angles from the centerline extending northwest from the Bettles radio beacon and southeast from the Point Barrow radio beacon and which terminate at the intersecting points midway between Bettles and Point Barrow; excluding the airspace within the Continental Control Area and the airspace above FL 450 north of lat. 68°00'00" N. The floor for the additional control area would be designated from the Bettles radio beacon 48 nautical miles, 3,000 feet MSL; 128 nautical miles, 9,500 feet MSL; thence 1,500 feet MSL to the Chip River Intersection (intersection of the Point Barrow radio beacon (PBA) 155° T (129° M) and the Lonely, Alaska,

radio beacon 246° T (218° M) bearings); thence 1,500 feet MSL to the Point Barrow radio beacon (PBA). This additional control area would be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time would thereafter be continuously published in the Alaska Airman's Guide and Chart Supplement.

The proposed control area would provide controlled airspace for the high volume of scheduled and itinerant flight operations which operate between these terminals under instrument flight rules. Air-ground communications would be provided within the proposed control area by the Bettles and Point Barrow Flight Service Stations.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on December 18, 1967.

H. B. HELSTROM,  
Chief, Airspace and Air  
Traffic Rules Division.

[P.R. Doc. 67-14937; Filed, Dec. 22, 1967;  
8:47 a.m.]

#### [ 14 CFR Part 71 ]

[Airspace Docket No. 67-CE-160]

#### TRANSITION AREA

##### Proposed Designation

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to designate a transition area at Moberly, Mo.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief.

Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106.

The special instrument approach procedures serving Omar N. Bradley Airport, Moberly, Mo., utilizing a privately owned

radio beacon located on the airport as a navigational aid, are primarily used by Ozark Airlines. Since these special procedures are not presently protected by controlled airspace, the Federal Aviation Administration believes it to be in the public interest to designate a transition area at Moberly in order to provide this protection.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

In § 71.181 (32 F.R. 2148), the following transition area is added:

Moberly, Mo.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of Omar N. Bradley Airport (latitude 39°-27'50" N., longitude 92°25'40" W.); within 2 miles each side of the 026° bearing from Omar N. Bradley Airport, extending from the 6-mile radius area to 18 miles northeast of the airport; and within 5 miles northeast and 8 miles southwest of the 316° bearing from Omar N. Bradley Airport, extending from the airport to 12 miles northwest of the airport; and that airspace extending upward from 1,200 feet above the surface, within 5 miles southeast and 8 miles northwest of the 026° bearing from Omar N. Bradley Airport, extending from the airport to 12 miles northeast of the airport.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on December 8, 1967.

DANIEL E. BARROW,  
Acting Director, Central Region.

[P.R. Doc. 67-14938; Filed, Dec. 22, 1967;  
8:47 a.m.]

#### [ 14 CFR Part 71 ]

[Airspace Docket No. 67-SO-120]

#### TRANSITION AREA

##### Proposed Designation

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Madison, Ga., transition area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Area Manager, Atlanta Area Office, Attention: Chief, Air Traffic Branch, Federal Aviation Administration, Post Office Box 20636, Atlanta, Ga. 30320. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The pro-

posal contained in this notice may be changed in the light of comments received.

The Madison transition area would be designated as:

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Madison Municipal Airport (lat. 33°36'46" N., long. 83°27'39" W.); within 2 miles each side of the Athens VORTAC 199° radial, extending from the 5-mile radius area to 18 miles south of the VORTAC.

The proposed transition area is required for the protection of IFR operations at Madison Municipal Airport. A prescribed instrument approach procedure to this airport utilizing the Athens VORTAC is proposed in conjunction with the designation of this transition area.

The official docket will be available for examination by interested persons at the Southern Regional Office, Federal Aviation Administration, Room 724, 3400 Whipple Street, East Point, Ga.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)).

Issued in East Point, Ga., on December 13, 1967.

JAMES G. ROGERS,  
Director, Southern Region.

[P.R. Doc. 67-14939; Filed, Dec. 22, 1967;  
8:48 a.m.]

#### [ 14 CFR Part 71 ]

[Airspace Docket No. 67-SW-69]

#### TRANSITION AREA

##### Proposed Designation

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations to designate a transition area at Conroe, Tex. The proposed transition area will provide airspace protection for aircraft executing approach/departure procedures proposed at Montgomery County Airport, Conroe, Tex.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Southwest Region, Federal Aviation Administration, Post Office Box 1689, Fort Worth, Tex. 76101. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Division. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, South-

west Region, Federal Aviation Administration, Fort Worth, Tex. An informal docket will also be available for examination at the Office of the Chief, Air Traffic Division.

It is proposed to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth.

In § 71.181 (32 F.R. 2148), the following transition area is added:

**CONROE, TEX.**

That airspace extending upward from 700 feet above the surface within a 6-mile radius of Montgomery County Airport (lat. 30°21'07" N., long. 95°24'55" W.); and within 2 miles each side of the 328° bearing (320° magnetic) from the Conroe RBN (lat. 30°21'50" N., long. 95°25'20" W.), extending from the 6-mile radius area to 8 miles northwest of the RBN.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Fort Worth, Tex., on December 14, 1967.

A. L. COULTER,

Acting Director, Southwest Region.

[F.R. Doc. 67-14940; Filed, Dec. 22, 1967; 8:48 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 2, 87]

[Docket No. 17858]

### HIGH FREQUENCY (HF) CHANNELS

#### Use for Flight Test Purposes and in Support of Offshore Drilling Operations; Order Extending Time for Filing Comments

In the matter of amendment of Parts 2 and 87 of the Commission's rules to permit use of high frequency (HF) channels for flight test purposes and in support of offshore drilling operations, Docket No. 17858, RM 1000.

1. A notice of proposed rule making was released in this proceeding November 9, 1967. It provided for the filing of comments by December 18, 1967, and reply comments by December 28, 1967. The Aerospace and Flight Test Radio

Coordinating Council (AFTRCC) has filed a motion for extension of time in which to file comments.

2. The proposal of the Commission in this proceeding is based upon a Petition (RM 1000) filed by AFTRCC; however, the proposal contains a limitation that HF be available "for communications with aircraft operating over open water areas beyond the range of VHF propagation \* \* \*." AFTRCC avers that this limitation was not included in the petition and the limitation would hamper seriously the utility of the proposed allocation. The Council states it is in the process of compiling the data necessary to demonstrate the serious nature of this limitation. The additional time requested is for the purpose of permitting the collection and review of such data and the consideration by AFTRCC of the collected data at its forthcoming meeting during the week of January 15, 1968. An extension until February 15, 1968, for filing comments is requested and 15 days thereafter for replies.

3. In view of the foregoing and in order that the Commission may have the benefit of the comments of the petitioner, additional time appears warranted. Accordingly, it is ordered, That the time for filing comments and reply comments in this proceeding is extended to February 15, 1968, and March 4, 1968, respectively.

4. This action is taken pursuant to authority contained in section 4(i) and 5(d)(1) of the Communications Act of 1934, as amended and § 0.331(b)(4).

Adopted: December 18, 1967.

Released: December 20, 1967.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 67-14940; Filed, Dec. 22, 1967; 8:48 a.m.]

### [47 CFR Part 87]

[Docket No. 17870]

### AVIATION SERVICES

#### Eligibility of Licensee; Order Extending Time for Filing Comments

In the matter of amendment of Part 87—Aviation Services, to broaden the

scope of persons eligible for flight test station licenses under § 87.333, Docket No. 17870.

1. A notice of proposed rule making was released in this proceeding on November 17, 1967. It provided for the filing of comments by December 26, 1967, and reply comments by January 5, 1968. The Aerospace and Flight Test Radio Coordinating Council (AFTRCC) has filed a motion for extension of time in which to file comments.

2. AFTRCC in its motion states that members of its council, who manufacture aircraft or major aircraft components, have been for many years one of the significant groups eligible for flight test station licenses under the present provisions for § 87.333 of the Commission's rules. It further avers that it will be possible to secure the composite judgment of the AFTRCC membership with respect to the proposed rule changes at its forthcoming meeting during the week of January 15, 1968. The additional time is requested to permit the preparation of comments based upon the meeting's review of the rule changes proposed in this proceeding. AFTRCC requests an extension until February 15, 1968 for filing comments and until March 4, 1968, for filing reply comments.

3. In view of the foregoing and in order for the Commission to have the benefit of the comments of the petitioner, additional time appears warranted, and it will not have an adverse effect upon this proceeding. Accordingly, it is ordered, That the time for filing comments and reply comments in this proceeding is extended to February 15, 1968, and March 4, 1968, respectively.

4. This action is taken pursuant to authority contained in sections 4(i) and 5(d)(1) of the Communications Act of 1934, as amended, and § 0.331(b)(4) of the Commission's rules.

Adopted: December 19, 1967.

Released: December 20, 1967.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 67-14950; Filed, Dec. 22, 1967; 8:48 a.m.]

# Notices

## DEPARTMENT OF THE TREASURY

### Bureau of Customs

[Antidumping—ATS 643.3-r]

### COLOR TELEVISION PICTURE TUBES FROM THE NETHERLANDS

#### Antidumping Proceeding Notice

DECEMBER 19, 1967.

On September 26, 1967, information was received in proper form pursuant to the provisions of § 14.6(b) of the Customs Regulations indicating a possibility that color television picture tubes manufactured by N. V. Philips Gloeilampenfabrieken, Inkoopcentrale, Eindhoven, Netherlands, are being, or likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.).

The information was submitted by Burgess Cellulose Co., Freeport, Ill.

Ordinarily, merchandise is considered to be sold at less than fair value when the net, f.o.b. factory price for exportation to the United States is less than the net, f.o.b. factory price to purchasers in the home market, or, where appropriate, to purchasers in other countries, after due allowance is made for differences in quantity and circumstances of sale.

Having conducted a summary investigation, and having determined on this basis that there are grounds for so doing, the Bureau of Customs is instituting an inquiry pursuant to the appropriate provisions of the Customs Regulations to determine the validity of the information.

A summary of information received from all sources is as follows:

Large quantities of color television picture tubes manufactured by N. V. Philips Gloeilampenfabrieken, Inkoopcentrale, of the Netherlands, are being sold to purchasers in the United States at prices substantially lower than those at which such or similar merchandise is sold by the manufacturer either for home consumption or to third country customers.

This notice is published pursuant to § 14.6(d)(1)(D) of the Customs Regulations (19 CFR 14.6(d)(1)(D)).

[SEAL] LESTER D. JOHNSON,  
Commissioner of Customs.

[P.R. Doc. 67-14942; Filed, Dec. 22, 1967; 8:48 a.m.]

[T.D. 68-5]

### FOREIGN CURRENCIES

Rates of Exchange for Ceylon Rupee, Irish Pound, New Zealand Dollar, Spanish Peseta, and United Kingdom Pound

DECEMBER 19, 1967.

Treasury Decision 67-235 published the following rates of exchange for the cur-

rencies named for use during the calendar quarter beginning October 1, through December 31, 1967, as certified by the Secretary of the Treasury by the Federal Reserve Bank of New York under the provisions of section 522(c) of the Tariff Act of 1930, as amended (31 U.S.C. 372(c)):

Ceylon Rupee	.....	\$0.208975
Irish Pound	.....	2.784000
New Zealand Dollar	.....	1.378217
Spanish Peseta	.....	.0166357
United Kingdom Pound	.....	2.784000

For the dates and currencies listed below, the Federal Reserve Bank of New York certified rates which vary by 5 per centum or more from the foregoing quarterly rates. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for customs purposes to convert any such currency into currency of the United States, conversion shall be at the daily rate certified by the Federal Reserve Bank of New York, as follows:

Ceylon Rupee:		
Nov. 27, 1967	.....	\$0.166233
Irish Pound:		
Nov. 22, 1967	.....	2.419850
Nov. 24, 1967	.....	2.419800
New Zealand Dollar:		
Nov. 21, 1967	.....	1.108350
Nov. 22, 1967	.....	1.117333
Nov. 24, 1967	.....	1.118500
Spanish Peseta:		
Nov. 22, 1967	.....	.0141833
Nov. 24, 1967	.....	.0142407
United Kingdom Pound:		
Nov. 22, 1967	.....	2.419850
Nov. 24, 1967	.....	2.419800

Rates of exchange certified for the currencies listed which vary by 5 per centum or more from the previously published quarterly rate during the remainder of the calendar quarter ending December 31, 1967, will be published in the weekly Customs Bulletin for dates subsequent to those cited above for all currencies listed.

[SEAL] LESTER D. JOHNSON,  
Commissioner of Customs.

[P.R. Doc. 67-14943; Filed, Dec. 22, 1967; 8:48 a.m.]

[T.D. 68-6]

### FOREIGN CURRENCIES

#### Rates of Exchange for Finnish Markka

DECEMBER 19, 1967.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange for the Finnish markka which vary by 5 per centum or more from the rate of \$0.310618 for the dates indicated. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for customs pur-

poses to convert Finnish currency into currency of the United States, conversion shall be at the daily rate certified by the Federal Reserve Bank of New York, as herewith published:

Finnish markka:		
Oct. 30, 1967, through Nov. 3, 1967	.....	\$0.237200
Nov. 6, 1967	.....	.237100
Nov. 8, 1967 through Nov. 10, 1967	.....	.237125
Nov. 13, 1967	.....	.237200
Nov. 14, 1967, through Nov. 17, 1967	.....	.237125
Nov. 21, 1967, through Nov. 22, 1967	.....	.237125
Nov. 24, 1967	.....	.237100

[SEAL] LESTER D. JOHNSON,  
Commissioner of Customs.

[P.R. Doc. 67-14944; Filed, Dec. 22, 1967; 4:48 a.m.]

### Office of Foreign Assets Control IMPORTATION OF DRIED, CANNED LOQUATS DIRECTLY FROM JAPAN

#### Available Certification

Notice is hereby given that certificates of origin issued by the Ministry of International Trade and Industry of the Government of Japan, under procedures agreed upon between that Government and the Office of Foreign Assets Control in connection with the Foreign Assets Control Regulations are now available with respect to the importation into the United States directly, or on a through bill of lading, from Japan of the following additional commodity:

Loquats, dried, canned.

[SEAL] MARGARET W. SCHWARTZ,  
Director,  
Office of Foreign Assets Control.

[P.R. Doc. 67-14945; Filed, Dec. 22, 1967; 8:48 a.m.]

## POST OFFICE DEPARTMENT

### APARTMENT BUILDINGS

#### Statement of Policy Regarding Delivery and Collection Service

An increasing number of apartment buildings are being built with self-closing and self-locking doors at the street entrance. Where the building management does not provide a full-time attendant, this new arrangement poses serious problems for carriers, collectors, and special delivery messengers.

It is the policy of the Department not to require delivery and collection employees to carry keys to private buildings and offices. It is not intended that delivery units or employees will be responsible for keeping and safeguarding keys other than the two types for Arrow (inside)

locks and padlocks used in the city delivery service.

Where an apartment building is locked and an attendant is not on the premises, there are two distinctly different methods of providing postal employees access to building lobbies, neither of which requires furnishing of entrance door keys to delivery and collection employees. One method incorporates a combination electrical-mechanical system in which the standard Arrow key activates the master lock on the door. The other method is a small metal box containing the entrance door key; the door on the box itself is secured by the official post office Arrow lock. Either system is acceptable and is installed at the expense of the building management, except for the Arrow lock.

Apartment building owners and managers are advised that if suitable arrangements are not made to assure easy access to buildings by carriers, collectors, and special delivery messengers, it will be virtually impossible to provide adequate collection and delivery of mail.

Regional offices of the Post Office Department have a list of known manufacturers and distributors of the devices mentioned above, and inquiries should be directed to the Director, Postal Operations Division.

(5 U.S.C. 301, 39 U.S.C. 501)

TIMOTHY J. MAY,  
General Counsel.

DECEMBER 19, 1967.

[P.R. Doc. 67-14905; Filed, Dec. 22, 1967;  
8:45 a.m.]

## CIVIL AERONAUTICS BOARD

[Docket Nos. 18984, 17007; Order E-26131]

### OZARK AIR LINES, INC.

#### Order Regarding Change in Service Pattern, etc.

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 15th day of December 1967.

Application of Ozark Air Lines, Inc., for a change in service pattern and for a show cause order, or for exemption pursuant to section 416(b) of the Federal Aviation Act of 1958, as amended, or for expedited hearing, Docket No. 18984; Application of Ozark Air Lines, Inc., for amendment of its certificate of public convenience and necessity for Route 107, Docket No. 17007.

On September 8, 1967, Ozark Air Lines, Inc. (Ozark), filed an application, Docket 18984, for—

(1) A change of service pattern which will permit Ozark to operate nonstop between Chicago, Ill., and Des Moines, Iowa, in the event the Board finds Ozark does not already have such authority; and

(2) Issuance of a show cause order granting that portion of Ozark's application in Docket 17007 which seeks a new route segment between the terminal point Des Moines, Iowa, and the terminal point Omaha, Nebr.; or, in the alternative, issuance of temporary exemption

authority permitting Ozark to provide nonstop service between said points of Des Moines and Omaha; or in the further alternative, issuance of an order setting down for expedited hearing Ozark's above-mentioned application for a new route segment between Des Moines and Omaha.

Ozark states that under such authority it would offer Chicago-Des Moines-Omaha schedules, and that it would operate in these markets on a subsidy-ineligible basis.

In support of the request to conduct nonstop operations between Chicago and Des Moines, Ozark notes that both cities are certified on segments 9 and 12, among others, of Ozark's route 107. Chicago is a terminal point on both segments 9 and 12, and Des Moines is an intermediate point on segment 9 and a terminal point on segment 12. The carrier believes that it already possesses Chicago-Des Moines authority on segment 9 because condition (5), relating to mandatory intermediate stops between terminals, does not require an intermediate stop between Chicago and Des Moines. In the event the Board does not agree with Ozark's interpretation of its authority, the carrier requests a change in service pattern to permit such nonstop service. Ozark states that United Air Lines, Inc. (United), is the exclusive carrier serving this market and that nearly all of its jet schedules offer a first-class fare structure only. Ozark proposes three daily round-trip flights operating in the morning, midday, and evening that would offer both coach and first-class fares. Financially, Ozark estimates an operating profit of \$165,815, and an indicated subsidy need of about \$100,000 based on proposed Subpart K.

In the case of the Des Moines-Omaha market, which is also served exclusively by United, Ozark asserts that such authority would be operated in combination with Chicago-Des Moines nonstop flights so as to provide Chicago-Des Moines-Omaha schedules, and that such a combination would further improve service at Des Moines, and enhance the profitability of the Chicago-Des Moines operation. The carrier estimates that with the addition of the Omaha extension, Chicago-Des Moines service would result in an operating profit of \$367,619, and a subsidy reduction of \$82,956.

The city and Chamber of Commerce of Des Moines, Iowa, filed an answer in support of Ozark's application. Des Moines asserts that improved service at Des Moines is necessary because only one carrier (United) provides service in the Des Moines-Chicago and Des Moines-Omaha markets and in 1966 these markets averaged 385 and 90 passengers per day, respectively. Des Moines considers Ozark's traffic forecast attainable.

Answers in opposition were filed by American Air Lines, Inc. (American), and United; and Ozark filed a reply thereto.

American and United, inter alia, challenge Ozark's assertion that it now possesses nonstop authority between Chicago and Des Moines. United cites the Fort Dodge-Peoria Service Case, 23

C.A.B. 677 (1956), in which proceeding Des Moines was added to Ozark's route 107 as the western terminal on segment 9 which extended to Chicago. However, Ozark's operations over this segment were made subject to a two-stop restriction. Subsequently, when segment 9 was redescribed in Quad Cities-Twin Cities Service Case, 24 C.A.B. 654 (1957), a two-stop restriction was again imposed on Ozark's authority in the Des Moines-Chicago market. In the Seven States Area Investigation, 28 C.A.B. 680 (1958), segment 9 was again redescribed and Sioux City was added as the western terminal and the segment was extended from Sioux City to Chicago via Des Moines, Ottumwa, Burlington, and Peoria. Operations over the new segment 9 were made subject to a restriction (condition (5)) which requires flights between the terminals to stop at one intermediate point other than Des Moines. Since Des Moines was the first intermediate on segment 9 appearing after the terminal point Sioux City, the effect of condition (5) was to prohibit nonstop operations in the Des Moines-Chicago market. United claims Ozark's argument that it has nonstop Chicago-Des Moines authority turns on the effect of revision of segment 9 made in the Ozark Air Lines, Inc., "Use It or Lose It" Investigation, 36 C.A.B. 228 (1962), which did not involve any issue of service between Des Moines and Chicago, but was confined to "use it or lose it" problems affecting Ozark's system. Thus United believes that the minor route amendment made in response to a "use it or lose it" problem was not intended to change Ozark's Chicago-Des Moines authority, and it could not have affected that authority because of the limited scope of the issues of the "Use It or Lose It" Investigation. We are persuaded by the arguments advanced by American and United that Ozark does not now possess nonstop authority between Des Moines and Chicago.

United further alleges that it provides a full pattern of nonstop jet and piston service in both the Chicago-Des Moines and Des Moines-Omaha markets at reasonable load factors. In the former market, United provides coach service on eight nonstop flights and asserts that in the spring of 1968 it will improve its jet aircraft schedules by adding four round trips with Boeing-737 aircraft. United also claims that Ozark will not earn a profit on the overall proposal because it will not be able to attain the level of traffic that it forecasts in the light of United's present schedules, has not used a dilution factor equivalent to United's experience in the market, and has understated flight time and overstated utilization.

American contends that Ozark has not attempted to show that its requests for Chicago-Des Moines and Des Moines-Omaha nonstop authority meet the statutory requirements for the grant of an exemption under section 416(b) of the Act. Similarly, United states that Ozark has not met the statutory requirements for an exemption including the fact that

it has not demonstrated any public need for its proposed Chicago-Des Moines-Omaha service.

Upon consideration of the pleadings and all relevant facts, we have decided to deny Ozark's request for a show cause order or an exemption or change in service pattern. We will, however, set for hearing that portion of Ozark's application which requests nonstop authority in the Chicago-Des Moines market.<sup>1</sup> Any authority awarded in this proceeding shall be on a subsidy-ineligible basis and any award to a new carrier shall be in the form of a separate segment.

We will not place in issue the question of additional service in the Des Moines-Omaha market. The issue of long-haul Des Moines-Omaha service has been included in the Omaha-Des Moines Transcontinental Investigation (Order E-25771, Oct. 3, 1967). In addition, in the Service to Omaha Case, Docket 18401, there is an issue of Chicago-Omaha non-stop service. We believe that the issue of Des Moines-Omaha service can best be decided subsequent to the disposition of these cases.

Accordingly, it is ordered, That:

1. That portion of Ozark's application, Docket 17007, which requests nonstop authority between Chicago, Ill., and Des Moines, Iowa, be and it hereby is set for hearing before an examiner of the Board at a time and place to be hereafter designated;

2. Any authority awarded in this proceeding shall be on a subsidy-ineligible basis, and any award to a carrier not now holding Chicago-Des Moines on-segment authority shall be in the form of a separate segment;

3. Applications, motions to consolidate, and motions or petitions seeking modification or reconsideration of this order shall be filed no later than 20 days from the date of service of this order, and answers to such pleadings shall be filed no later than 10 days thereafter;

4. The balance of Ozark's application, Docket 17007, not set for hearing herein, be and it hereby is dismissed without prejudice;

5. Ozark's application in Docket 18984, except to the extent granted herein, be and it hereby is denied; and

6. A copy of this order shall be served on American Airlines, Inc., United Air Lines, Inc., and Ozark Air Lines, Inc., who are hereby made parties to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[P.R. Doc. 67-14947; Filed, Dec. 22, 1967;  
8:47 a.m.]

<sup>1</sup> In Docket 17007, Ozark has applied, *inter alia*, for Chicago-Des Moines authority.

## FEDERAL MARITIME COMMISSION

### JAPAN-PUERTO RICO & VIRGIN ISLANDS FREIGHT CONFERENCE

#### Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. D. P. Gillette, Chairman, Japan-Puerto Rico & Virgin Islands Freight Conference, Second Floor, Sumitomo Seimei Yaesu Building, 3, 4-Chome Yaesu, Chuo-Ku, Tokyo, Japan.

Agreement No. 8190-8, between the member lines of the Japan-Puerto Rico & Virgin Islands Freight Conference, amends the basic agreement (8190, as amended) by the addition of a new Article 11-A, entitled, "Admission Fee". Article 11-A provides for the assessment of a conference admission fee of \$2,000 (two thousand dollars) for new members, no part of which is to be returned except upon dissolution of the conference.

Dated: December 19, 1967.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[P.R. Doc. 67-14931; Filed, Dec. 22, 1967;  
8:47 a.m.]

### JAVA/NEW YORK RATE AGREEMENT

#### Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the

Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. R. J. Flynn, Chairman, Java/New York Rate Agreement, 11 Broadway, New York, N.Y. 10004.

Agreement 90-13 between the member lines of the Java/New York Rate Agreement modifies the basic agreement by changing the notice period for withdrawals from 3 months to 30 days.

Dated: December 19, 1967.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[P.R. Doc. 67-14932; Filed, Dec. 22, 1967;  
8:47 a.m.]

### TRANS-PACIFIC FREIGHT CONFERENCE OF JAPAN

#### Notice of Agreement Filed for Approval

Notice is hereby given that the following agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. D. P. Gillette, Chairman, Trans-Pacific Freight Conference of Japan, Second Floor, Sumitomo Seimei Yaesu Building, 3, 4-Chome Yaesu, Chuo-Ku, Tokyo, Japan.

Agreement No. 150-38, between the member lines of the Trans-Pacific Freight Conference of Japan, proposes the amendment of Article 15 of the basic agreement (150, as amended) to increase the amount of the admission fee for new members from \$1,000 (one thousand dollars) to \$2,000 (two thousand dollars).

Dated: December 19, 1967.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[F.R. Doc. 67-14933; Filed, Dec. 22, 1967;  
8:47 a.m.]

## FEDERAL POWER COMMISSION

[Docket No. E-7234]

### DETROIT EDISON CO. AND CONSUMERS POWER CO.

#### Order Continuing Proceedings

DECEMBER 18, 1967.

Upon consideration of the joint request by Respondents and Commission staff filed November 28, 1967, which also indicates that the Intervenor, Michigan Public Service Commission, has no objection thereto, the respective dates for service of prepared testimony and further hearing in this proceeding are continued for a period of 6 months from and after the several dates set forth in the Commission's order issued August 12, 1966.

By the Commission.

[SEAL] GORDON M. GRANT,  
Secretary.

[F.R. Doc. 67-14896; Filed, Dec. 22, 1967;  
8:45 a.m.]

[Docket No. CP68-169]

### EASTERN SHORE NATURAL GAS CO.

#### Notice of Application

DECEMBER 12, 1967.

Take notice that on December 1, 1967, Eastern Shore Natural Gas Co. (Applicant), 114 East Main Street, Salisbury, Md. 21801, filed in Docket No. CP68-169 an application pursuant to section 7(c) of the Natural Gas Act for authority to increase for a 12-month period the level of transportation service rendered on behalf of Delmarva Power & Light Co. (DP&L), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes an increase of 3,000 Mcf of natural gas per day in transportation deliveries yielding a total daily volume of 7,000 Mcf of gas transported for DP&L during the 12-month period commencing December 1, 1967 and ending November 30, 1968. The natural gas will be used to meet the space heating and other fuel requirements of domestic, commercial, and industrial

customers located in the western portion of the DP&L service territory.

Applicant states that it proposes to render the additional transportation service under its T-1 rate schedule applicable to its current deliveries of transportation service to DP&L, and further states that no additional facilities are needed to effectuate the proposed increase in service.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before January 8, 1968.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 67-14897; Filed, Dec. 22, 1967;  
8:45 a.m.]

[Docket No. CP68-170]

### FLORIDA GAS TRANSMISSION CO.

#### Notice of Application

DECEMBER 12, 1967.

Take notice that on December 4, 1967, Florida Gas Transmission Co. (Applicant), Post Office Box 44, Winter Park, Fla. 32789, filed in Docket No. CP68-170 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon certain facilities heretofore used for service to the Sarasota power plant of Florida Power & Light Co. (Power Company), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the Power Company's Sarasota electric generating plant has been retired from service, closed down, and dismantled, and delivery of gas to that plant has ceased. Accordingly, Applicant requests permission and approval to abandon the facilities formerly used in service to the aforementioned plant.

Specifically, Applicant proposes to abandon in place lateral pipeline facilities consisting of approximately 2,904 feet of 8-inch pipe extending from Ap-

plicant's existing Meter Station formerly serving the electric plant, and to dismantle, remove, and salvage such Meter Station.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before January 8, 1968.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 67-14898; Filed, Dec. 22, 1967;  
8:45 a.m.]

[Docket No. E-7385]

### IOWA-ILLINOIS GAS AND ELECTRIC CO.

#### Notice of Application

DECEMBER 19, 1967.

Take notice that on December 11, 1967, Iowa-Illinois Gas and Electric Co. (Applicant) filed an application pursuant to section 203 of the Federal Power Act seeking authority to sell certain electric transmission facilities to Eastern Iowa Light and Power Cooperative.

Applicant is incorporated under the laws of Illinois with its principal business office at Davenport, Iowa, and is engaged in the generation, transmission and distribution of electric energy and the distribution of natural gas in western Illinois and in five counties in the eastern part of Iowa.

The facilities to be sold consist of a portion of a 69 kv transmission line extending from a point near the northwest corner of sec. 36, T. 78 N., R. 1 E. of the fifth principal meridian in Muscatine County, Iowa, a distance of 13.355 miles to a point near the northwest corner of sec. 12, T. 77 N., R. 2 W. of the fifth principal meridian, Muscatine County, Iowa at which the aforesaid transmission line connects with the substation of Eastern Iowa Light and Power Cooperative. The consideration for the sale of these facilities is \$114,446.

The purchaser, Eastern Iowa Light and Power Cooperative is a cooperative association established under the laws of the State of Iowa with its principal office at Wilton Junction, Iowa and generates, transmits and distributes electricity in the east quadrant of the State of Iowa.

Any person desiring to be heard or to make any protest with reference to the application should on or before January 12, 1968 file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file with the Commission and is available for public inspection.

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 67-14899; Filed, Dec. 22, 1967;  
8:45 a.m.]

[Docket No. RP68-2]

**KNOXVILLE UTILITIES BOARD ET AL.**  
**Order Instituting Investigation and**  
**Providing for Hearing**

DECEMBER 18, 1967.

Knoxville Utilities Board et al.<sup>1</sup> (Knoxville), on August 10, 1967, filed a formal complaint against East Tennessee Natural Gas Co. (East Tennessee) alleging that the latter's resale rates are excessive and unlawful and requested that the matter be set down for hearing. East Tennessee, on September 11, 1967, filed an answer denying the allegation.

In support of its complaint, Knoxville submitted a cost of service and revenue study for the year 1966 alleging that East Tennessee earned revenues in excess of \$1 million above a 6½ percent return. Complainant states that its study is based upon purchased gas costs at supplier's current rates, flow through of liberalized depreciation, 10 year amortization of Account 282, and consolidated tax savings. The revenue comparison study submitted by complainants reflects Opinion No. 497 rates, estimated third year sales from East Tennessee's Virginia extension, and gives effect to the terms of the settlement agreement between complainants herein and East Tennessee dated October 17, 1966, at rates set out in Opinion No. 497.

<sup>1</sup>A group of municipalities and distribution companies all of whom are customers of East Tennessee located in Tennessee; i.e., Knoxville Utilities Board, Athens Utility Board, Citizens Gas Utility District, Cookeville Gas Department, Elk River Public Utility District, Englewood Natural Gas System, Elowah Utilities District, Fayetteville Gas System, Gallatin Natural Gas System, Harri-man Utility Board, City of Jamestown Gas System, Jefferson-Cooke Utility District, Lenoir City Utilities Board, Lewisburg Gas Department, Loudon Utilities Board, Middle Tennessee Utility District, Oak Ridge Utility District, Sevier County Utility District, City of Sweetwater, Unico Natural Gas Utility District, City of Rockwood Natural Gas Co., United Cities Gas Co., Volunteer Natural Gas Co., Madisonville Gas Co., Marion County Natural Gas Co.

East Tennessee's denial states that Knoxville's cost of service-revenue comparisons are faulty in that they do not reflect (1) the loss of interruptible sales to Chattanooga Gas Co.; (2) increased labor costs and property taxes; (3) proper accounting treatment of the reserves in Account 282; (4) the impact of the Commission's order issued December 22, 1966, staying Opinion No. 497, pending judicial review of the issue of liberalized depreciation flow through, and (5) an appropriate rate of return.

Upon analysis of the documents filed, it is our view that an investigation should be instituted into the reasonableness of East Tennessee's rates and a public hearing be held to provide all parties an opportunity to submit evidence on the issues presented; and that an opportunity be provided to define and resolve issues by stipulation prior to hearing.

The Commission finds: It is necessary and appropriate for the purposes of carrying out the provisions of the Natural Gas Act (15 U.S.C. 717), and particularly section 5 thereof, that an investigation be instituted and a hearing held to determine the lawfulness of East Tennessee's jurisdictional rates.

The Commission orders:

(A) An investigation hereby is instituted to determine whether the jurisdictional rates and charges of East Tennessee are unjust and unreasonable. If, after hearing, the Commission finds that any rates, charges, classifications, rules, regulations, practices, or contracts are unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful, the Commission thereupon shall determine, fix, and prescribe by appropriate order or orders, just, reasonable, nondiscriminatory and nonpreferential rates, charges, classifications, rules, regulations, practices, or contracts.

(B) Pursuant to the authority contained in, and subject to the jurisdiction conferred upon the Federal Power Commission by the Natural Gas Act, particularly sections 5, 14, 15, and 16 thereof, and to the Commission's rules of practice and procedure a public hearing shall be held in a hearing room of the Commission at 441 G Street NW., Washington, D.C., concerning the matters specified in paragraph (A) above on a date designated by the Presiding Examiner.

(C) Pursuant to the Commission's rules of practice and procedure, particularly §§ 1.27, 1.30(j), and 3.4(e)(6) thereof, the Chief Examiner shall designate a hearing officer to preside at the prehearing conferences and hearing herein provided for, and any other prehearing conferences he may deem appropriate in these proceedings, to prescribe an appropriate schedule for the filing of evidence by complainants, respondent, the staff and intervenors: *Provided, however*, That: The staff shall be allowed at least 90 days from the date of respondent's filing of evidence within which to review, analyze and prepare and serve its exhibits and testimony.

(D) Pursuant to § 1.18 of the Commission's rules of practice and procedure, a prehearing conference before the Pre-

siding Examiner shall commence at 10 a.m., e.s.t., on January 9, 1968, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., for the purpose of defining the issues, reaching an agreement and stipulation thereon and on any other matters relevant to this proceeding.

(E) Notices of intervention and petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the Commission's rules of practice and procedure, §§ 1.8 and 1.37(f), on or before January 9, 1968.

By the Commission.

[SEAL] GORDON M. GRANT,  
Secretary.

[F.R. Doc. 67-14900; Filed, Dec. 22, 1967;  
8:45 a.m.]

[Docket No. CP68-83]

**UNITED FUEL GAS CO.**  
**Notice of Application**

DECEMBER 19, 1967.

Take notice that on September 13, 1967, United Fuel Gas Co. (Applicant), Post Office Box 1273, Charleston, W. Va. 25325, filed in Docket No. CP68-83 an application requesting the issuance of an order finding that the construction and operation of certain natural gas purchase and transportation facilities, more particularly designated and described therein, come within the purview of section 1(b) of the Natural Gas Act, as amended, and as production and gathering facilities do not require the issuance of a certificate of public convenience and necessity, or, in the alternative, the issuance of a certificate of public convenience and necessity under section 7(c) of the Natural Gas Act, as amended, authorizing the construction and operation of said facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The application alleges that new and significant developments in the Newburg formation south of the city of Charleston, Kanawha County, W. Va., exceed both the market requirements and transportation capacity of Applicant's existing markets and transportation facilities in the area necessitating the construction and operation of certain additional gas purchase and transportation facilities in order to provide Applicant sufficient transportation capacity to deliver such volumes to its existing high-pressure transmission facilities.

Applicant further alleges that the estimated cost of constructing the proposed facilities is to be \$828,700 with estimated operating expenses to aggregate \$5,390 per year.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before January 10, 1968.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 67-14901; Filed, Dec. 22, 1967;  
8:45 a.m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3421]

### CONTINENTAL VENDING MACHINE CORP.

#### Order Suspending Trading

DECEMBER 18, 1967.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, 10 cents par value of Continental Vending Machine Corp., and the 6 percent convertible subordinated debentures due September 1, 1976, being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

*It is ordered*, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period December 19, 1967, through December 28, 1967, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F.R. Doc. 67-14907; Filed, Dec. 22, 1967;  
8:45 a.m.]

### FASTLINE, INC.

#### Order Suspending Trading

DECEMBER 18, 1967.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Fastline, Inc., New York, N.Y., otherwise than on a national securities

exchange is required in the public interest and for the protection of investors:

*It is ordered*, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period December 19, 1967, through December 28, 1967, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F.R. Doc. 67-14908; Filed, Dec. 22, 1967;  
8:45 a.m.]

[File No. 9-592]

### PAKCO COMPANIES, INC.

#### Order Suspending Trading

DECEMBER 18, 1967.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Pakco Companies, Inc., and all other securities of Pakco Companies, Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

*It is ordered*, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period December 19, 1967, through December 28, 1967, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F.R. Doc. 67-14909; Filed, Dec. 22, 1967;  
8:46 a.m.]

[File No. 1-4371]

### WESTEC CORP.

#### Order Suspending Trading

DECEMBER 18, 1967.

The common stock, 10 cents par value, of Westec Corp., being listed and registered on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Westec Corp., being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

*It is ordered*, Pursuant to sections 15(c) (5) and 19(a) (4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for

the period December 19, 1967, through December 28, 1967, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F.R. Doc. 67-14910; Filed, Dec. 22, 1967;  
8:46 a.m.]

## INTERSTATE COMMERCE COMMISSION

### FOURTH SECTION APPLICATION FOR RELIEF

DECEMBER 20, 1967.

Protests to the granting of an application must be prepared in accordance with Rule 101.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

#### LONG-AND-SHORT HAUL

FSA No. 41194—Corn and sorghum grains to points in SWL territory, also Kansas and Missouri. Filed by Southwestern Freight Bureau, agent (No. B-9033), for interested rail carriers. Rates on corn and sorghum grains, in carloads, as described in the application, from points in SWL and WTL territories, to points in SWL territory, also Kansas and Missouri.

Grounds for relief—Carriers competition.

Tariffs—Supplement 93 to Southwestern Freight Bureau, agent, tariff ICC 4495 and 13 other schedules named in the application.

By the Commission.

[SEAL] H. NEIL GARSON,  
Secretary.

[F.R. Doc. 67-14926; Filed, Dec. 22, 1967;  
8:46 a.m.]

[Notice 515]

### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

DECEMBER 20, 1967.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC 67 (49 CFR Part 340) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and

will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

#### MOTOR CARRIERS OF PROPERTY

No. MC 66562 (Sub-No. 2281 TA), filed December 13, 1967. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York, N.Y. 10017. Applicant's representative: John H. Engel, 2413 Broadway, Kansas City, Mo. 64108. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* moving in express service, in interstate or foreign commerce, over regular routes: (1) Between Kansas City, Mo., and Tulsa, Okla., serving the intermediate and/or off-route points of Pleasanton, Fort Scott, Pittsburg, Cherokee, and Parsons, Kans., and Miami, Okla.; from Kansas City, Mo., over U.S. Highway 69 to the intersection with U.S. Highway 160, thence over U.S. Highway 160 to Parsons, Kans., thence over U.S. Highway 160 to the intersection with U.S. Highway 69, thence over U.S. Highway 69 to intersection with Will Rogers Turnpike to Tulsa, Okla., and return over the same route; (2) Between Garnett, Kans., and Tulsa, Okla., serving the intermediate and/or off-route points of Iola, Chanute, Tri-Cities Airport, Cherryvale, and Coffeyville, Kans., and Bartlesville and Tulsa, Okla., and serving the intersection of U.S. Highway 169 and U.S. Highway 160 for purposes of joinder only; from Garnett, Kans., over U.S. Highway 59 to the junction of U.S. Highway 169, thence over U.S. Highway 169 to Coffeyville, Kans., thence over U.S. Highway 166 to the intersection with U.S. Highway 75, thence over U.S. Highway 75 to Tulsa, Okla., and return over the same route.

(3) Between Parsons, Kans., and Neodesha, Kans., serving the off-route point of Tri-Cities Airport and serving the intersection of U.S. Highway 169 and U.S. Highway 160 for purposes of joinder only; from Parsons, Kans., over U.S. Highway 160 to the intersection with U.S. Highway 169 and Kansas State Highway 37, thence over Kansas State Highway 37 to the intersection with U.S. Highway 75, thence over U.S. Highway 75 to Neodesha, Kans., and return over the same route; (4) between Henryetta, Okla., and McAlester, Okla., serving no intermediate points; from Henryetta, Okla., over U.S. Highway 75 to the intersection with the Indian Nation Turnpike, thence over Indian Nation Turnpike to the intersection with U.S. Highway 69, thence over U.S. Highway 69 to McAlester, Okla., and return over the same route; (5) between Durant, Okla., and Madill, Okla., serving no intermediate points; from Durant, Okla., over U.S. Highway 70 to Madill, Okla., and return over the same route; (6) between Topeka, Kans., and Woodward, Okla., serving the intermediate and/or off-route points of

Emporia, Wichita, Wellington, South Haven, Caldwell, Klowa, Anthony, and Harper, Kans., and Enid, Okla.; (a) from Topeka, Kans., over Kansas Turnpike/Interstate Highway 35 to the intersection with U.S. Highway 166, thence over U.S. Highway 166 to South Haven, Kans., thence over U.S. Highway 81 to Enid, Okla., thence over U.S. Highway 60 to intersection with Oklahoma State Highway 15, thence over Oklahoma State Highway 15 to Woodward, Okla., and return over the same route; (b) from Woodward, Okla., over Oklahoma State Highway 15 to the intersection with U.S. Highway 281, thence over U.S. Highway 281 to the intersection with Kansas State Highway 2, thence over Kansas State Highway 2 to Wichita, Kans., thence over Kansas Turnpike/Interstate Highway 35 to Topeka, Kans., and return over the same route.

(7) Between Wichita, Kans., and Guymon, Okla., serving the intermediate and/or off-route points of Kingman, Cunningham, Pratt, Greensburg, Bucklin, Meade, and Liberal, Kans.; from Wichita, Kans., over U.S. Highway 54 to Guymon, Okla., and return over the same route; (8) between Liberal, Kans., and Garden City, Kans., serving no intermediate points, for purposes of joinder only; from Liberal, Kans., over U.S. Highway 83 to Garden City, Kans., and return over the same route; (9) between the intersection of U.S. Highway 54 and U.S. Highway 283 at Minneola, Kans., and Dodge City, Kans., serving no intermediate points for purposes of joinder only; from the intersection of U.S. Highway 54 and U.S. Highway 283 at Minneola, Kans., over U.S. Highway 283 to Dodge City, Kans., and return over the same route; (10) between Salina, Kans., and Colby, Kans., serving the intermediate and/or off-route points of Ellsworth, Russell, Hays, Ellis, Wakeeney, Grainfield, Grinnell, Oakley, and La Crosse, Kans.; (a) from Salina, Kans., over Interstate Highway 70 to the intersection of Kansas State Highway 25, thence over Kansas State Highway 25 to Colby, Kans., and return over the same route; (b) from Hays, Kans., over U.S. Highway 183 to La Crosse, Kans., and return over the same route; (11) between Wichita, Kans., and Hutchinson, Kans., serving the intermediate and/or off-route points of Newton, Hesston, Moundridge, and McPherson, Kans.; from Wichita, Kans., over U.S. Highway 81/Interstate Highway 35 W to McPherson, Kans., thence over U.S. Highway 81 to intersection with Kansas State Highway 61 to Hutchinson, Kans., and return over the same route.

(12) Serving Olathe, Kans., as an off-route point on existing authority; (13) between Wichita, Kans., and Wichita Falls, Tex., serving the intermediate and/or off-route points of Oxford, Winfield, and Arkansas City, Kans., and Newkirk, Ponca City, Stillwater, Oklahoma City, Chickasha, Rush Springs, Marlow, Duncan, Lawton, Enid, Perry, Tonkawa, and Blackwell, Okla.; (a) from Wichita, Kans., over Kansas Turnpike/Interstate Highway 35 to Oklahoma City, Okla., thence over H. W.

Bailey Turnpike/U.S. Highway 281, to Wichita Falls, Tex., and return over the same route; (b) from Lawton, Okla., over Oklahoma State Highway 7 to intersection with U.S. Highway 81 to Duncan, Okla., thence over U.S. Highway 81 to Chickasha, Okla., and return over the same route; (c) from the intersection of Interstate Highway 35 and Oklahoma State Highway 51, to Stillwater, Okla., thence over U.S. Highway 177 to intersection with U.S. Highway 77, thence over U.S. Highway 77 to Winfield, Kans., thence over U.S. Highway 160 to intersection with Interstate Highway 35, and return over the same route; (d) from the intersection of Interstate Highway 35 and U.S. Highway 64 over U.S. Highway 64 to Enid, Okla., and return over the same route; (14) between Ottawa, Kans., and Trinidad, Colo., serving the intermediate and/or off-route points of Emporia, Newton, Hutchinson, Stafford, St. John, Lewis, Kinsley, Dodge City, and Garden City, Kans., and Lamar, Los Animas, and La Junta, Colo.; from Ottawa, Kans., over U.S. Highway 50 to La Junta, Colo., thence over U.S. Highway 350 to Trinidad, Colo., and return over the same route; (15) between Oklahoma City, Okla., and Amarillo, Tex., serving the intermediate and/or off-route points of Weatherford, Clinton, and Elk City, Okla., and Shamrock and McLean, Tex.; from Oklahoma City, Okla., over U.S. Highway 66/Interstate 40 to Amarillo, Tex., and return over the same route.

(16) Between Dallas, Tex., and Oklahoma City, Okla., serving the intermediate and/or off-route points of Gainesville, Tex., and Ardmore, Sulphur, Pauls Valley, Purcell, Shawnee, and Ada, Okla.; (a) from Dallas, Tex., over U.S. Highway 77/Interstate Highway 35 to Oklahoma City, Okla., and return over the same route; (b) from Oklahoma City, Okla., over Interstate Highway 40 to intersection with U.S. Highway 177, thence over U.S. Highway 177 to intersection with Oklahoma State Highway 13, thence over Oklahoma State Highway 13 to intersection with Oklahoma State Highway 19, thence over Oklahoma State Highway 13/19 to Ada, Okla., thence over Oklahoma State Highway 12 to intersection with Oklahoma State Highway 7, thence over Oklahoma State Highway 7 to Davis, Okla., and return over the same route; (17) between Houston, Tex., and Bryan, Tex., serving the intermediate and/or off-route points of Waller, Navasota, Caldwell, Somerville, Brenham, Bellville, Sealy, Orchard, and Rosenberg, Tex.; from Houston, Tex., over U.S. Highway 290 to intersection with Texas State Highway 6, thence over State Highway 21 to intersection with Texas State Highway 36, thence over Texas State Highway 36 to intersection with Alternate U.S. Highway 90, thence over Alternate U.S. Highway 90 to Houston, Tex., and return over the same route; (18) between Lubbock, Tex., and Dallas, Tex., serving the intermediate and/or off-route points of Slaton, Post, Snyder, Sweetwater, Abilene, Cisco, Eastland, Ranger, Strawn, and Weatherford, Tex.; from Lubbock, Tex., over U.S. Highway 84 to intersection with

U.S. Highway 80/Interstate Highway 20, thence over U.S. Highway 80/Interstate Highway 20 to Dallas, Tex., and return over same route.

(19) Between Dallas, Tex., and Ballinger, Tex., serving the intermediate and/or off-route points of Cleburne, Stephenville, Comanche, Bröwnwood, and Coleman, Tex.; from Dallas, Tex., over U.S. Highway 67 to the intersection with U.S. Highway 84, thence over U.S. Highway 84 to intersection with Texas State Highway 206, thence over Texas State Highway 206 to the intersection with U.S. Highway 67, thence over U.S. Highway 67 to Ballinger, Tex., and return over the same route; (20) between Coleman, Tex., and Abilene, Tex., serving no intermediate points; from Coleman, Tex., over U.S. Highway 84 to Abilene, Tex., and return over the same route; (21) between Amarillo, Tex., and Pampa, Tex., serving the intermediate points of Borger, and McLean, Tex.; from Amarillo, Tex., over U.S. Highway 60 to the intersection with Texas State Highway 15, thence over Texas State Highway 15 to the intersection with Texas State Highway 152, thence over Texas State Highway 152 to Pampa, Tex., thence over Texas State Highway 273 to McLean, Tex., thence over Texas State Highway 273 to intersection with U.S. Highway 60, thence over U.S. Highway 60 to Amarillo, Tex., and return over the same route; (22) between Canyon, Tex., and Clovis, N. Mex., serving the intermediate point of Hereford, Tex.; from Canyon, Tex., over U.S. Highway 60 to Clovis, N. Mex., and return over the same route; (23) between Albuquerque, N. Mex., and El Paso, Tex., serving the intermediate and/or off-route points of Belen, Socorro, Truth or Consequences, Las Cruces, Alamogordo, Tularosa, and Carrizozo, N. Mex.; (a) from Albuquerque, N. Mex., over U.S. Highway 85/Interstate Highway 25 to Las Cruces, N. Mex., thence over New Mexico State Highway 478 to Anthony, Tex., thence over U.S. Highway 80/85 to El Paso, Tex., and return over the same route; (b) from Las Cruces, N. Mex., over U.S. Highway 80/Interstate Highway 10 to El Paso, Tex., and return over the same route for operating convenience only.

(c) From Las Cruces, N. Mex., over U.S. Highway 70/82 to the intersection with U.S. Highway 54, thence over U.S. Highway 54 to the intersection with U.S. Highway 380, thence over U.S. Highway 380 to the intersection with U.S. Highway 85/Interstate Highway 25, and return over the same route; (24) between Albuquerque, N. Mex., and Durango, Colo., serving the intermediate and/or off-route points of Grants, Gallup, Farmington, and Aztec, N. Mex.; from Albuquerque, N. Mex., and Durango, Colo., serving the intermediate and/or off-route points of Grants, Gallup, Farmington, and Aztec, N. Mex.; from Albuquerque, N. Mex., over U.S. Highway 66/Interstate Highway 40 to Gallup, N. Mex., thence over U.S. Highway 666 to the intersection of U.S. Highway 550, thence over U.S. Highway 550 to Durango, Colo., thence over U.S. Highway 550 to inter-

section with New Mexico State Highway 44, thence over New Mexico State Highway 44 to intersection with U.S. Highway 85/Interstate Highway 25, thence over U.S. Highway 85/Interstate Highway 25 to Albuquerque, N. Mex., and return over the same route; (25) between Las Vegas, N. Mex., and Santa Fe, N. Mex., serving no intermediate points; from Las Vegas, N. Mex., over U.S. Highway 85/Interstate Highway 25 to Santa Fe, N. Mex., and return over the same route; (26) between Roswell, N. Mex., and Tularosa, N. Mex., serving no intermediate points; from Roswell, N. Mex., over U.S. Highway 70 to Tularosa, N. Mex., and return over the same route.

(27) Between Grand Island, Nebr., and Norfolk, Nebr., serving the intermediate points of Central City and Columbus, Nebr.; from Grand Island, Nebr., over U.S. Highway 30 to Columbus, Nebr., thence over U.S. Highway 81 to Norfolk, Nebr., and return over same route. Restrictions: The service to be performed shall be limited to that which is auxiliary to or supplemental of express service of the Railway Express Agency, Inc. Shipments transported shall be limited to those moving on through bills of lading or express receipts. NOTE: Applicant requests that the authority for the proposed operations, if granted, be construed as an extension, to be joined, tacked, and combined with R E A's existing authority in MC 66562 and subs thereunder, thereby negating the restrictions against tacking or joinder customarily placed upon temporary authority. Duplicating authority not sought: There is some minor duplication between the authority sought herein and applicant's existing authority. The whole route proposed is so described for administrative convenience and intelligibility, and applicant does not seek more than one operating right and understands that if the authority proposed is provided no more than one operating right would be intended or thereby conferred, for 150 days. Supporting shippers: There are approximately 115 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Stephen P. Tomany, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 346 Broadway, New York, N.Y. 10013.

No. MC 103435 (Sub-No. 200 TA), filed December 13, 1967. Applicant: UNITED-BUCKINGHAM FREIGHT LINES, INC., East 4005 Broadway Avenue 99220, Post Office Box 2726, Spokane, Wash. 99292. Applicant's representative: George R. LaBissoniere, 920 Logan Building, Seattle, Wash. 98101. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except household goods as defined by the Commission, commodities in bulk, commodities which because of size or weight require the use of special equipment, livestock, and articles of unusual value), serving the plant-site location of Johnson & Johnson at the

Argonne Industrial District in Du Page County, Ill. (approximately 30 miles south of Chicago), as an off-route point in connection with applicant's present operation to and from Chicago, Ill., for 180 days. Supporting shipper: Johnson & Johnson, 501 George Street, New Brunswick, N.J. Send protests to: L. C. Taylor, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 401 U.S. Post Office Building, Spokane, Wash. 99201.

No. MC 107496 (Sub-No. 604 TA), filed December 11, 1967. Applicant: RUAN TRANSPORT CORPORATION, Third and Keosauqua Way, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Polyurethane, in bulk, in tank vehicles, from McCook, Ill., to Edgerton, Wis., for 150 days. Supporting shipper: Pelron Corp., 7847 West 47th Street, Lyons, Ill. 60534. Send protests to: Ella L. Annett, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 227 Federal Office Building, Des Moines, Iowa 50309.

No. MC 107500 (Sub-No. 103 TA), filed December 13, 1967. Applicant: BURLINGTON TRUCK LINES, INC., 796 South Pearl Street, Galesburg, Ill. 61401. Applicant's representative: Harold T. Bangs (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), serving the Johnson & Johnson plant-site, located in the Argonne Industrial District, located in Will and Du Page Counties, Ill., as an off-route point in connection with operations authorized in No. MC 107500 and subs thereto, to and from Chicago, Ill., for 180 days. The authority sought herein is restricted against service between the Johnson & Johnson plant-site, located in the Argonne Industrial District, on the one hand, and, on the other, points in the Chicago, Ill., commercial zone, except for purpose of joinder with carrier's existing authority. Supporting shipper: Johnson & Johnson, 501 George Street, New Brunswick, N.J. Send protests to: Raymond E. Mauk, District Supervisor, Interstate Commerce Commission, Bureau of Operations, U.S. Courthouse, Federal Office Building 1086, 219 South Dearborn Street Chicago, Ill. 60604.

No. MC 107515 (Sub-No. 599 TA), filed December 15, 1967. Applicant: REFRIGERATED TRANSPORT CO., INC., 3901 Jonesboro Road, Post Office Box 10799, Station A, Atlanta, Ga. 30310. Applicant's representative: B. L. Gundlach (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods and dairy products, from Washington, D.C., and Baltimore, Md., to points in North Carolina, South

Carolina, Georgia, Virginia, and Texas, for 180 days. Supporting shippers: Harry Gottlieb, Inc., 11-23 Narrowway Court, Baltimore, Md. 21231, and Fairfield Farm Kitchens, 5200 Addison Road, NE, Washington, D.C. 20027. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Room 309, 1252 West Peachtree Street N.W., Atlanta, Ga. 30309.

No. MC 111594 (Sub-No. 34 TA), filed December 13, 1967. Applicant: C W TRANSPORT, INC., 610 High Street, Post Office Box 200, Wisconsin Rapids, Wis. 54494. Applicant's representative: S. B. Lewandoski (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite of Jones & Laughlin Steel Corp., at or near Hennepin, Putnam County, Ill., to points in Ohio, Indiana, Minnesota, and Wisconsin. Applicant does not intend to tack the authority here applied for to other authority held by it. Authority requested for 180 days. Supporting shipper: Jones & Laughlin Steel Corp., 3 Gateway Center, Pittsburgh, Pa. 15230. Send protests to: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 214 North Hamilton Street, Madison, Wis. 53703.

No. MC 113325 (Sub-No. 120 TA), filed December 15, 1967. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South Seventh Street, St. Louis, Mo. 63104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Resin Plasticizers*, in bulk, in tank vehicles, from the plantsite of the United States Steel Corp.-Chemical Co., at or near Neville Island, Pa., to the plantsites of the Monsanto Co. in the St. Louis, Mo.-East St. Louis, Ill., commercial zone as defined by the Commission, for 180 days. Supporting shipper: Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, Mo. 63166. Send protests to: J. P. Werthmann, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 3248-B, 1520 Market Street, St. Louis, Mo. 63103.

No. MC 115689 (Sub-No. 84 TA), filed December 13, 1967. Applicant: HOWARD N. DAHLSTEN, doing business as DAHLSTEN TRUCK LINE, Post Office Box 95, Clay Center, Nebr. 68933. Applicant's representative: Howard N. Dahlsten (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime and limestone products*, from Davenport, Iowa, to De Sota, Lawrence, Kansas City, and Mission, Kans., for 180 days. Supporting shipper: Linwood Stone Products Co., Inc., Rural Route 2, Davenport, Iowa 52804. Send protests to: District Supervisor Max H. Johnston, Bureau of Operations, Interstate Commerce Commission, 315 Post Office Building, Lincoln Building, Lincoln, Nebr. 68508.

No. MC 119305 (Sub-No. 5 TA), filed December 11, 1967. Applicant: C. ROBERT NATTRESS AND DONALD NATTRESS, a partnership, doing business as

B & D TRUCKING SERVICE, 33 West Garfield Avenue, Norwood, Pa. 19074. Applicant's representative: Ralph C. Busser, Jr., 1710 Locust Street, Philadelphia, Pa. 19103. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fresh bakery products*, from Philadelphia, Pa., to Wilmington and Newark, Del., for 180 days. Supporting shipper: Tasty Baking Co., 2810 Hunting Park Avenue, Philadelphia, Pa. 19129. Send protests to: Peter R. Guman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Second and Chestnut Streets, Philadelphia, Pa. 19106.

No. MC 119632 (Sub-No. 32 TA), filed December 13, 1967. Applicant: REED LINES, INC., 634 Ralston Avenue, Defiance, Ohio 43512. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beverage preparations*, dry, from Plantsite of Muller Packaging Corp. at or near Oberlin, Ohio, to Greenville, Ill., for 180 days. Supporting shipper: Pet Inc., Milk Products Division, Arcade Building, St. Louis, Mo. 63166. Send protests to: Keith D. Warner, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 5234 Federal Office Building, 234 Summit Street, Toledo, Ohio 43604.

No. MC 124251 (Sub-No. 21 TA), filed December 15, 1967. Applicant: JACK JORDAN, INC., U.S. Highway 41 South, Dalton, Ga. 30720. Applicant's representative: Ariel Vincent Conlin, Suite 626, Fulton National Bank Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Latex and latex compounds*, from points in Whitfield County, Ga., to Chattanooga, Tenn., for 180 days. Supporting shipper: The Dow Chemical Co., Freeport, Tex. 77541. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Room 309, 1252 West Peachtree Street NW., Atlanta, Ga.

No. MC 125035 (Sub-No. 15 TA), filed December 15, 1967. Applicant: RAY E. BROWN TRUCKING, INC., 1132 55th Street NE., North Canton, Ohio 44721. Applicant's representative: Fred H. Zollinger, 800 Cleve-Tusc Building, Canton, Ohio. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products*, such as chocolate milk, oleomargarine, cottage cheese, cottage cheese products, cream cheese, cream cheese products, fruit and water beverages, milk, buttermilk, cream, and other products normally sold on wholesale and retail dairy routes, when moving in mixed shipments with the aforementioned products, from Cleveland, Ohio, to points in Erie County, Pa., for 180 days. Supporting shipper: The Great Atlantic & Pacific Tea Co., Inc., 3440 Forbes Avenue, Pittsburgh, Pa. 15213. Send protests to: District Supervisor G. J. Baccell, Interstate Commerce Commission, Bureau of Oper-

ations, 435 Federal Building, 215 Superior Avenue, Cleveland, Ohio 44114.

No. MC 126367 (Sub-No. 4 TA), filed December 15, 1967. Applicant: EVERGREEN TRUCKING COMPANY, Box 39, Rural Route, Jewell, Ore. 97126. Applicant's representative: Earl V. White, 2400 Southwest Fourth Avenue, Portland, Ore. 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Peeler cores*, from Ford, Wash., to Priest River, Idaho, for 180 days. Supporting shipper: Merritt Bros. Lumber Co., Route 1, Box 1A, Priest River, Idaho. Send protests to: S. F. Martin, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 450 Multnomah Building, 120 Southwest Fourth Street, Portland, Ore. 97204.

No. MC 126420 (Sub-No. 11 TA), filed December 12, 1967. Applicant: ALASKA STEAMSHIP COMPANY, Pier 42, Seattle, Wash. 98134. Applicant's representative: Edward G. Lowry III, 14th Floor, Norton Building, Seattle, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (with the usual exceptions), from Seattle, Wash., to points in Alaska over Washington Highways to Puget Sound Terminal of Alaska Marine Highway System and then over system to Alaska, and return, for 150 days. Supporting shipper: Applicant's affidavit of explanation is enclosed. Send protests to: E. J. Casey, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 6130 Arcade Building, Seattle, Wash. 98101.

No. MC 128196 (Sub-No. 3 TA), filed December 13, 1967. Applicant: KARL ARTHUR WEBER, 2408 North 20th Drive, Phoenix, Ariz. 85009. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and wood building materials*; (a) from points in Arizona, California, and Oregon to points in Arkansas, Louisiana, Oklahoma, New Mexico, and Texas; (b) from points in Arkansas, Colorado, Louisiana, New Mexico, and Texas to points in Arizona, California, and Nevada, for 180 days. Supporting shipper: Tarter, Webster & Johnson, Inc. of Texas, Post Office Box 1, West Hurst Boulevard, Hurst, Tex. 76053. Send protests to: Andrew V. Baylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 3427 Federal Building, Phoenix, Ariz. 85025.

No. MC 128503 (Sub-No. 1 TA), filed December 15, 1967. Applicant: WORLDWIDE PET TRAVEL SERVICE, 1546 South 53d Street, Philadelphia, Pa. 19143. Applicant's representative: David W. Greer, Jr. (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animals*, other than horses for racing or show purposes, such as *dogs, cats, monkeys, and reptiles* used for pets, resale, research, or exhibit, between points in Delaware, New Jersey, New York City, N.Y., Nassau County, N.Y., Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties, Pa.,

for 180 days. Supporting shipper: Military Travel Service, Inc., Wrightstown Cookstown Road, Post Office Box 127, Cookstown, N.J. 08511. Send protests to: Peter R. Guman, District Supervisor, 900 U.S. Customhouse, Second and Chestnut Streets, Philadelphia, Pa. 19106.

No. MC 129555 (Sub-No. 1 TA), filed December 13, 1967. Applicant: M. C. CLODFELTER AND JACK M. CLODFELTER, a partnership, doing business as M. & J. TRUCK SERVICE, 314 West Eighth Street, Winfield, Kans. 67156. Applicant's representative: C. Zimmerman, 503 Schweiter Building, Wichita, Kans. 67202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fiberglass pipe and fittings*, from Wichita, Kans., to points in Oklahoma, Texas, Illinois, Louisiana, South Dakota, North Dakota, Montana, Wyoming, and New Mexico, for 150 days. Supporting shipper: Rock Island Oil & Refining Co., Inc., 321 West Douglas, Wichita, Kans. 67202. Send protests to: M. E. Taylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 906 Schweiter Building, Wichita, Kans. 67202.

No. MC 129587 TA, filed December 12, 1967. Applicant: RONALD ROSSANA, doing business as R. ROSSANA VAN LINES, 141 Main Street, Northport, N.Y. 11768. Applicant's representative: Irving Abrams, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Loudspeaker cabinets*, in cartons, from Farmingdale, N.Y., to Smithfield, N.C., for 180 days. Supporting shipper: Easco Industries, Inc., 21-21 Route 110, Farmingdale, N.Y. Send protests to: E. N. Carignan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 346 Broadway, New York, N.Y.

By the Commission.

[SEAL] H. NEIL GARSON,  
Secretary.

[F.R. Doc. 67-14927; Filed, Dec. 22, 1967;  
8:46 a.m.]

[S.O. No. 994; ICC Order 2, Amdt. 2]

### FRANKFORT AND CINCINNATI RAILROAD CO.

#### Diversion or Rerouting of Traffic

Upon further consideration of ICC Order No. 2 (Frankfort & Cincinnati Railroad Co.) and good cause appearing therefor:

*It is ordered, That:*

ICC Order No. 2 be, and it is hereby amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) Expiration date: This order shall expire at 11:59 p.m., January 31, 1968, unless otherwise modified, changed, or suspended.

*It is further ordered, That* this amendment shall become effective at 11:59 p.m., December 19, 1967, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscrib-

ing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., December 19, 1967.

INTERSTATE COMMERCE  
COMMISSION,  
R. D. PFAHLER,  
Agent.

[SEAL]

[F.R. Doc. 67-14928; Filed, Dec. 22, 1967;  
8:46 a.m.]

[Notice 65]

### MOTOR CARRIER TRANSFER PROCEEDINGS

DECEMBER 19, 1967.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 279), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-69742. By order of December 11, 1967, the Transfer Board approved the transfer to Mercer Trucking Co., Inc., Greenacres, Wash., of a portion of the operating rights in certificate No. MC-1545, issued December 6, 1966, to Merchants Trucking Co., Inc., Sandpoint, Idaho, authorizing the transportation, over irregular routes, of milk, flour, feed, soap, canned goods, sugar, salt, lumber, lath, shingles, contractor's equipment, machinery, and specified incidental equipment, between various specified points in Idaho, Washington, and Montana. George R. LaBlissiere, 920 Logan Building, Seattle, Wash. 98101, attorney for applicants.

No. MC-FC-69834. By order of December 11, 1967, the Transfer Board approved the transfer to Mercer Trucking Co., Inc., Greenacres, Wash., of the operating rights in Certificate No. MC-59410, issued April 28, 1966, to Stuart Trucking Co., a corporation, Greenacres, Wash., authorizing the transportation, over irregular routes, of manufactured forest products, grain, feed, poles, piling, milling machinery and equipment, building materials, livestock, sand and gravel, lumber, brick, sewer tile, building logs, and mouldings and mastick between specified points in Idaho, Washington, and Montana. George R. LaBlissiere, 920 Logan Building, Seattle, Wash. 98101, attorney for applicants.

No. MC-FC-69910. By order of December 11, 1967, the Transfer Board approved on reconsideration, the transfer to Cheney Motor Express, Inc., of that portion of the operating rights of L. J. Kreutzer, doing business as Kreutzer

Motor Express, Mankato, Minn., in permit No. MC-111301, issued July 19, 1956, authorizing the transportation of mineral wool, from Mankato, Minn., to points in Iowa, Nebraska, North Dakota, South Dakota, and Wisconsin, and the entire operating rights authorized in permit No. MC-111301 (Sub-No. 6), issued October 15, 1959, authorizing the transportation, over irregular routes, of mineral wool, from Mankato, Minn., to points in the Upper Peninsula of Michigan and those in a described portion of Illinois. Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402, attorney for applicants.

No. MC-FC-70014. By order of December 11, 1967, the Transfer Board approved the transfer to J. N. Wilson Co., Inc., Erie, Pa., of the operating rights in certificate No. MC-107911 issued April 6, 1950, to Gordon F. Way and Edward Hayes, a partnership, doing business as J. N. Wilson Co., Erie, Pa., authorizing the transportation of heavy machinery, road and building construction equipment, other commodities requiring special handling or rigging because of size or weight, and incidental tools, materials, equipment, and supplies, over irregular routes, between points in Erie County, Pa., on the one hand, and, on the other, points in New York and Ohio and on the Lower Peninsula of Michigan. Bernard L. Siegel, 506 G. Daniel Baldwin Building, Erie, Pa. 16501, attorney for applicants.

No. MC-FC-70016. By order of December 11, 1967, the Transfer Board approved the transfer to Wittwer, Inc., Mount Horeb, Wis., of the operating rights in certificate No. MC-117708, issued April 27, 1959, to Clarence Stark, Mount Hope, Wis., authorizing the transportation of animal and poultry feed from Minneapolis, Minn., to points in Vernon, Crawford, Richland, Sauk, Iowa, Grant, Dane, Lafayette, Green, Columbia, and Rock Counties, Wis. Claude J. Jasper, 111 South Fairchild Street, Madison, Wis. 53703, attorney for applicants.

No. MC-FC-70039. By order of December 11, 1967, the Transfer Board approved the transfer to Edgar Rimback, doing business as Maplewood Transfer & Storage Co., Millburn, N.J., of the operating rights in certificate No. MC-25618, issued September 12, 1940 to Patrick A. Albanese, Millburn, N.J., authorizing the transportation of household goods, over irregular routes, between Millburn, N.J. and points and places in New Jersey within 10 miles of Millburn, on the one hand, and, on the other, New York, N.Y. and points and places in New Jersey and Pennsylvania. Robert B. Pepper, 297 Academy Street, Jersey City, N.J. 07306, practitioner.

No. MC-FC-70041. By order of December 11, 1967, the Transfer Board approved the transfer to Boyer-Rosene Moving & Storage, Inc., 2045 North Janice Avenue, Melrose Park, Ill. 60160, the operating rights in certificate No. MC-49544, issued June 16, 1964, to Richards Moving & Storage Co., a corporation, Melrose Park, Ill., authorizing the transportation of household goods as defined

by the Commission, between Chicago, Ill., and points in Illinois within 50 miles of Chicago, Ill., on the one hand, and, on the other, points in New York, New Jersey, Pennsylvania, Connecticut, Massachusetts, Illinois, Indiana, Michigan, Ohio, Missouri, Iowa, Wisconsin, Minnesota, Kentucky, Alabama, Nebraska, Tennessee, and the District of Columbia.

No. MC-FC-70042. By order of December 11, 1967, the Transfer Board approved the transfer to Ferrara Interstate Movers, Inc., Rockville Centre, N.Y., of the operating rights in certificate No. MC-89981 issued October 9, 1952, to Giobatta Carbone, Daniele Morello, and Giovanni Zaffiro, a partnership, doing business as John Ferrera & Co., New York, N.Y., authorizing the transportation of household goods as defined by the Commission, over irregular routes, between points in Connecticut, Rhode Island, Massachusetts, and New Jersey, those in New York on and southeast of New York Highway 7, and those in Pennsylvania east of a line beginning at the Pennsylvania-New York State line and extending along U.S. Highway 220 to Muncy, Pa., thence along the Susquehanna River to the Pennsylvania-Maryland State line. A. David Millner, 744 Broad Street, Newark, N.J. 07102, attorney for applicants.

No. MC-FC-70043. By order of December 11, 1967, the Transfer Board approved the transfer to Walter Baker Trucking Corp., Brooklyn, N.Y., of the operating rights in corrected permit No.

MC-79013 issued December 29, 1959, to Arrow Trucking Corp., Brooklyn, N.Y., authorizing the transportation of brick, tile, and clay products, between points and areas in Connecticut, New Jersey, New York, and Pennsylvania. Morton E. Klel, 140 Cedar Street, New York, N.Y. 10006, attorney for applicants.

No. MC-FC-70047. By order of December 14, 1967, the Transfer Board approved the transfer to Koberlein Express & Transfer Co., Inc., New York, N.Y., of certificate in No. MC-114363 issued August 18, 1958, to Michael's Delivery Service, Inc., Smithtown, Long Island, N.Y., authorizing the transportation of new furniture, uncrated, in retail delivery, from New York, N.Y., to points in New York, New Jersey, and Connecticut, within 50 miles of New York, N.Y. Morris Honig, 150 Broadway, New York, N.Y. 10038, attorney for applicants.

No. MC-FC-70048. By order of December 14, 1967, the Transfer Board approved the transfer to Rahier Trucking, Inc., Yakima, Wash., of certificate No. MC-61748 issued July 29, 1965, to Paddison Truck Lines, Inc., Yakima, Wash., and authorizing the transportation of fruits and farm products, between points in Yakima County, Wash., on the one hand, and, on the other, Portland and Hillsboro, Oreg., and spray materials, between Portland, Oreg., on the one hand, and, on the other, points in Yakima County, Wash. Douglas A. Wilson, 303 East D Street, Yakima, Wash. 98901, attorney for applicants.

No. MC-FC-70037. By order of December 14, 1967, the Transfer Board approved the transfer to Tank Truck Rentals, Inc., Lancaster, Pa., of the operating rights in permits Nos. MC-86188 (Sub-No. 6), MC-86188 (Sub-No. 25), and MC-86188 (Sub-No. 34), issued December 27, 1946, June 13, 1955, and August 22, 1960, respectively, to Northland Petroleum Transport Co., a corporation, Lancaster, Pa., authorizing the transportation of petroleum and petroleum products, in bulk, in tank vehicles, between specified points and areas in New Jersey, Ohio, West Virginia, Delaware, and Pennsylvania. S. S. Sisen, 140 Cedar Street, New York, N.Y. 10006, attorney for applicants.

No. MC-FC-70038. By order of December 14, 1967, the Transfer Board approved the transfer to Kristoffer D. Sortland, doing business as Crawford-Maher Stage Line, Post Office Box 158, Crawford, Colo. 81415, of the operating rights in certificate No. MC-31147 issued November 12, 1965, to Edgar L. Rice, doing business as Crawford-Maher Stage Line, Crawford, Colo. 81415, authorizing the transportation, over a regular route, of general commodities, except household goods, classes A and B explosives, commodities in bulk, and Maher, Colo., serving all intermediate points.

[SEAL] ANTHONY ANDREW, Jr.,  
Acting Secretary.

[F.R. Doc. 67-14867; Filed, Dec. 21, 1967;

## CUMULATIVE LIST OF PARTS AFFECTED—DECEMBER

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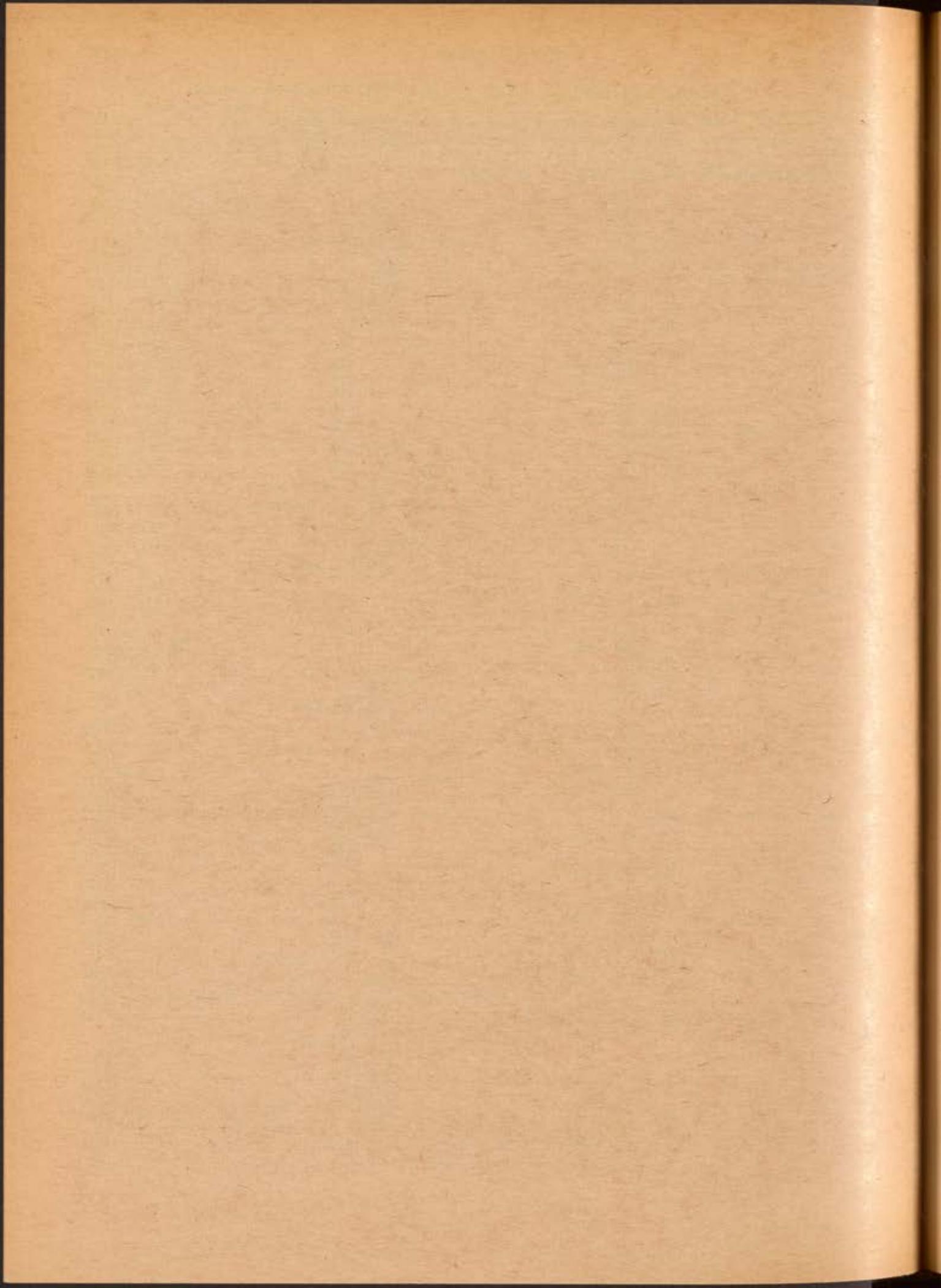
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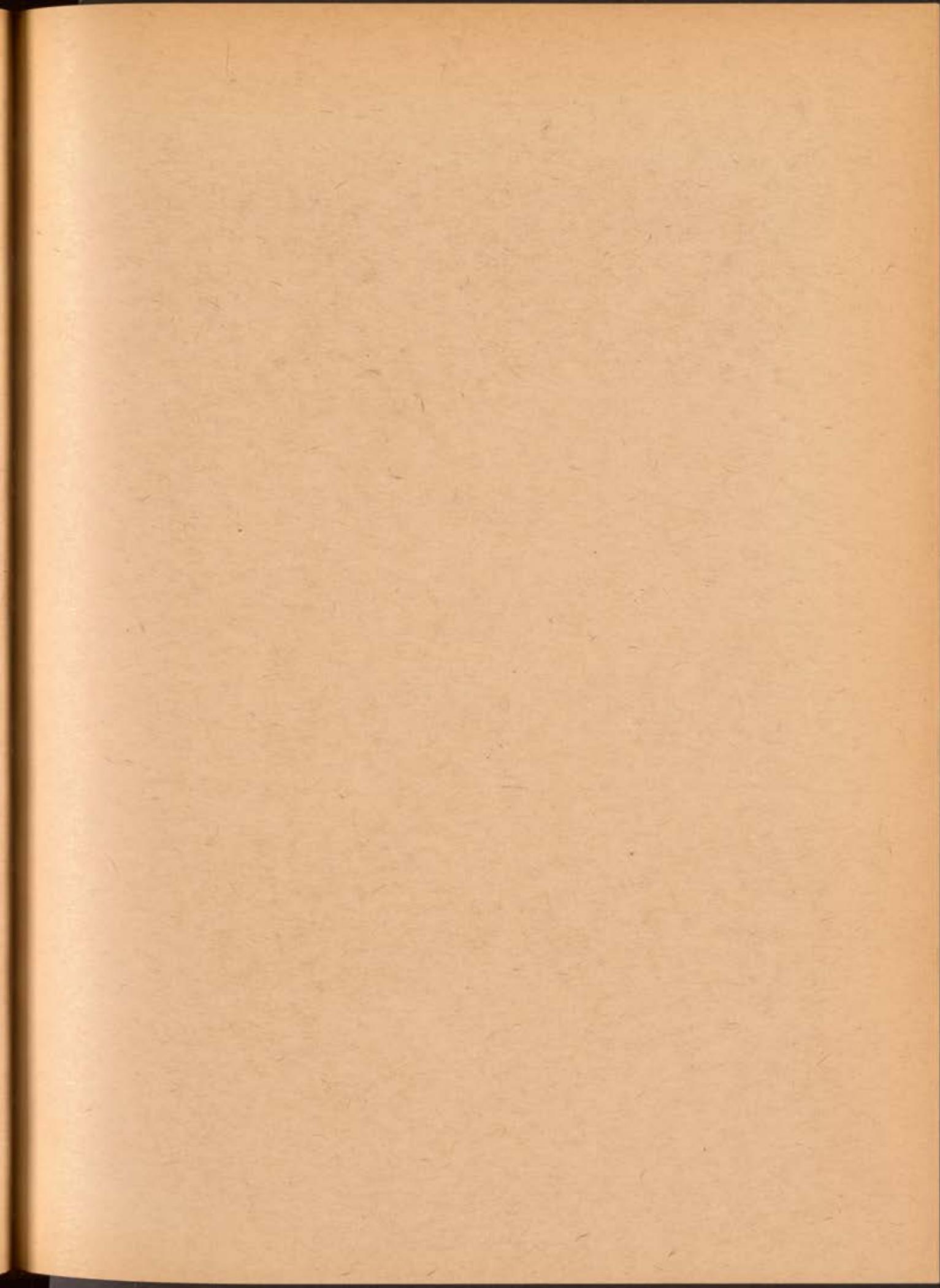
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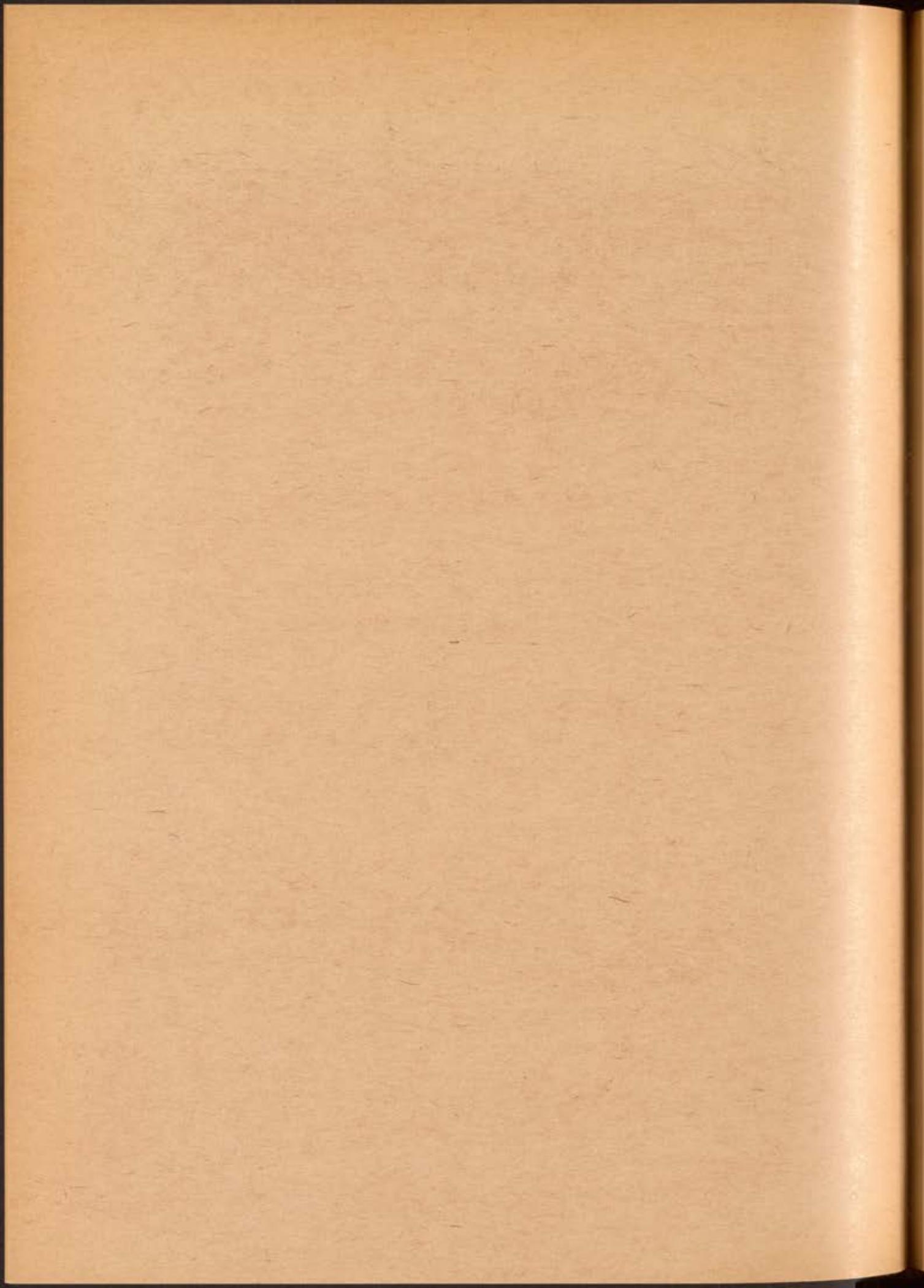
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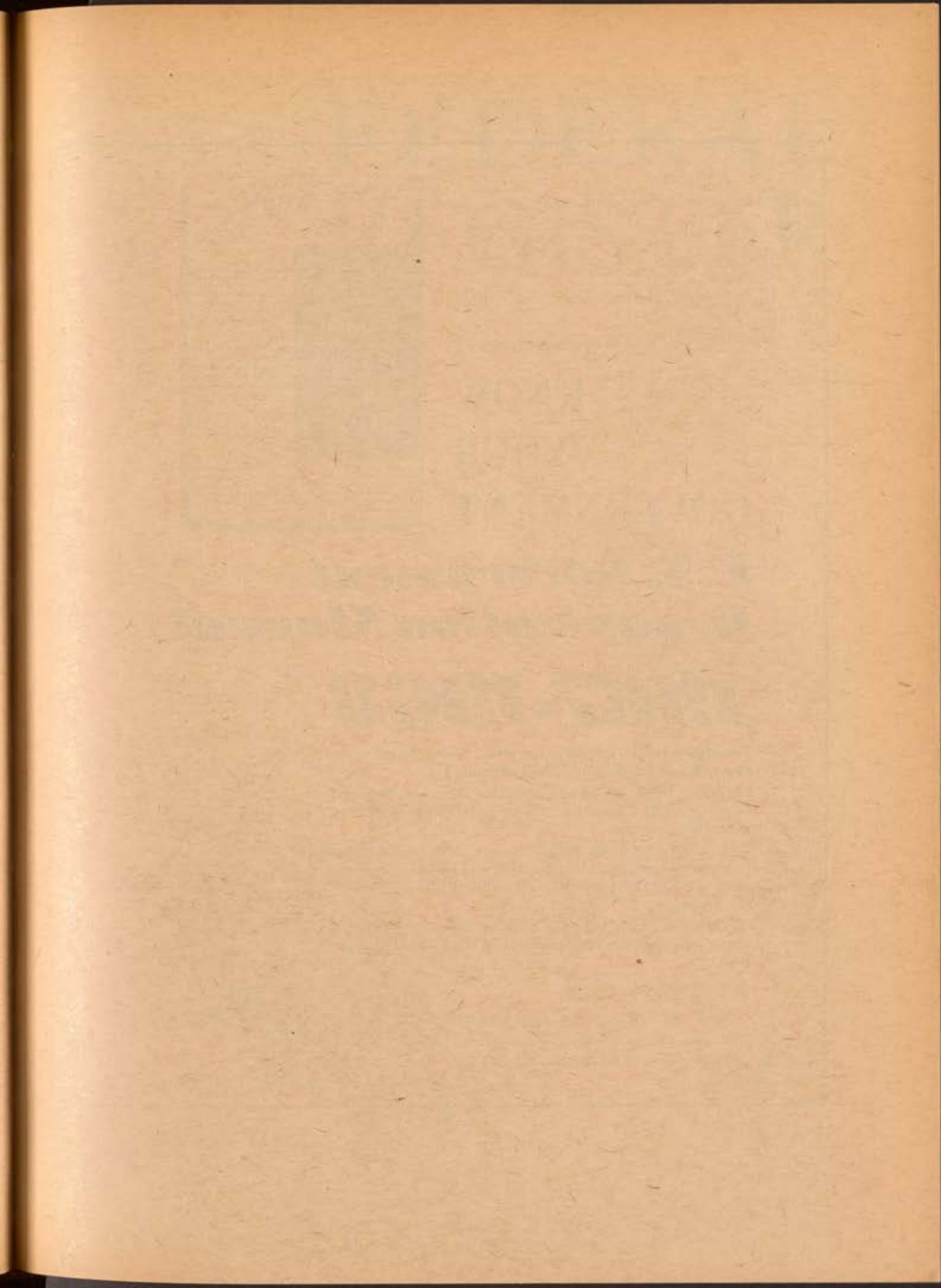
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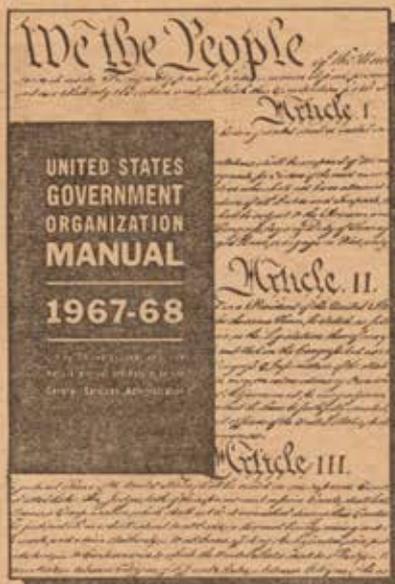








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